



OVERSIGHT BOARD - BOARD MEMBER CANDIDATE PRIVACY NOTICE

This privacy notice describes how Oversight Board LLC, Oversight Board UK and Oversight Board UK Services Limited (sometimes referred to in this Board Member Candidate Privacy Notice collectively as “**Oversight Board**”, “**we**”, “**us**” and “**our**”) and the trustees of the Trust (as defined in the [Glossary](#)) process information about you when you apply for a role as a Board Member with Oversight Board (a “**Candidate**”).

If you are applying for a role at Oversight Board other than a Board Member, a different recruitment process will be followed. Where this applies, please see our [Applicant Privacy Notice](#).

This privacy notice does not apply to any personal data that Oversight Board receives as part of the content review services it provides to Meta, nor to any information that an individual provides through visiting oversightboard.com as part of any appeal or case, in relation to which please see the [Data Policy for the Oversight Board’s Data Processing Activities](#).

For an explanation of terms used in this privacy notice, please see the [Glossary](#).

1. What kinds of information does Oversight Board and/or the Trust collect about you?

If you are a Candidate, to evaluate your application, Oversight Board must collect and process information about you. The Trust will collect your personal information from Oversight Board or through direct interactions with you during the application process.

- **Information and content you provide.** Oversight Board and the Trust collect the information you provide when making your application and during the application process, including where you communicate with Oversight Board and the Trust via email, telephone or social media and when you visit our offices. This can include your name, contact details and other identification



details, gender and title, the information in your CV or resumé, education and employment history and other information about your background and experiences pursuant to the application process, financial information such as salary requirements and previous salary, membership of committees or boards or professional bodies, your unique identification number to facilitate the application process, information contained in score summaries and check box assessments prepared during the application process, and photographs or CCTV footage from security cameras inside or outside our offices. Oversight Board and the Trust may also ask you to tell us about any Conflicts of Interest you may have (as explained further in the [Glossary](#)). It is important that the information that you give us is accurate and current and so you should let us know if your information changes during the recruitment process.

- **Information others provide about you.** Oversight Board may also receive and/or collect information about you from other people such as former employers, background check suppliers, credit reference agencies, people you nominate to provide references, and publicly accessible sources (such as Facebook, LinkedIn, Twitter and other social media), and any information provided by recommenders about you on the Member Recommendations Portal. Where the recruitment process is carried out in conjunction with Meta, Oversight Board and the Trust may also receive and/or collect information about you from Meta in relation to the application.
- **Data with special protection.** During the application process you may disclose to us Sensitive Information about your race or ethnicity, religious or philosophical beliefs, trade union membership, sexual orientation, political opinions and your health. Oversight Board and the Trust may also collect information relating to criminal convictions, allegations, proceedings and offences, in order to assess your fitness for the role. These types of information may also be received through background checks carried out by Oversight Board and the Trust (or by third parties on our behalf). This information is subject to special protection under EEA and UK law. You can find more information about how Oversight Board and the Trust process this type of information [here](#).



2. How do Oversight Board and the Trust use this information?

Oversight Board and the Trust use your information to support and inform Oversight Board's recruitment and hiring process. Here's how.

If you are a Candidate, Oversight Board and the Trust may use your information:

- **To evaluate your application.** This includes to assess your skills, qualifications and suitability for the work or role, to carry out background and reference checks where applicable and to decide whether to offer you a position. Such evaluation may be carried out in conjunction with Meta.
- **To communicate with you.** Your contact information may be used to communicate with you about your application or to follow up on any recommendation made by a third person.
- **For operational and administrative purposes.** This will include use for Oversight Board to record Oversight Board's hiring processes and to manage and plan Oversight Board's organization, including accounting, auditing, budget planning and reporting. The Trust may also process your personal information in order to comply with its purpose of facilitating the funding, management and oversight of Oversight Board, including budget management, and to enable the Trust to comply with its own governance requirements.

If, as a Candidate, you do not provide information necessary for Oversight Board and the Trust to consider your application (such as evidence of qualifications or work history), Oversight Board and the Trust may not be able to fully process your application. For example, if Oversight Board or the Trust requires references for this role and you do not provide the relevant details, then Oversight Board and/or the Trust may not be able to advance your application.

In all cases, Oversight Board and the Trust may use your information:



- **To promote safety, integrity and security.** Your information may be used to respond to suspected fraud or other illegal activity, or to protect the rights and property of Oversight Board, the Trust and others.
- **For legal and compliance reasons.** This includes to implement internal policies and to comply with laws, legal processes, and government requests.

3. How is this information shared?

Oversight Board and the Trust work with service providers who help us with our recruitment process and help to provide and improve our services (such as IT service providers and professional advisers). We do not sell personal information. Oversight Board and the Trust do not allow third-party service providers to use your personal data for their own purposes. Oversight Board and the Trust also impose strict restrictions on how our service providers can use and disclose the personal information received from either of us. Here are the types of third parties with whom Oversight Board and the Trust share information:

- **Affiliates.** Your information may be shared with the Oversight Board's affiliates, Oversight Board UK, Oversight Board UK Services Limited and any other affiliates from time to time, who may provide services to Oversight Board LLC.
- **Vendors and service providers.** These include vendors and service providers who support our respective operations, such as by providing IT or human resources services or carrying out background checks.
- **Board Members.** Your information may be shared with other Board Members, in particular those serving in the capacity of co-chair, as needed to manage the operations of Oversight Board.
- **Meta.** Meta currently has an active role in the screening and selection process for Board Members. Therefore, Meta, Oversight Board and the Trust may share your personal data with each other as independent data controllers for the purpose of facilitating their participation in the screening and selection process and, in the case of Meta and the Oversight Board, to ultimately recommend candidates to the trustees of the Trust for appointment as Board Members. In due course, the Oversight Board will take on full responsibility for the Oversight



Board member selection, at which point Meta will cease being directly involved in the selection process. As part of that transition, Meta will transfer any personal data it holds about you to Oversight Board, noting that Meta may continue to retain your personal data for such period as is necessary to enable it to comply with applicable laws. See paragraph 4 below for further details of how Oversight Board and the Trust work with Meta.

- **Professional advisers and other external parties.** These include global executive search firms, law firms and other third party professional providers, for example to enable us to obtain legal, IT or human resources services, or in connection with carrying out background checks, and as needed to manage the operations of Oversight Board and to fulfil the purpose of the Trust. In that regard, Meta and Oversight Board have appointed Spencer Stuart, Jenner & Block LLP and Baker McKenzie as trusted third-party partners to advise us on aspects of the member selection process, including to interview potential members and to evaluate candidate competencies and experiences based on a set of criteria set out in our Candidate Review Guide, which will continue to be refined from time to time. To enable Spencer Stuart, Baker McKenzie, Jenner & Block LLP or another third party professional services firm to carry out the aspects of the member selection process detailed above, Meta and/or Oversight Board may provide information about you to them, such as your name, title, organization / affiliation, and details of any public profiles you may have.
- **Legal, supervisory or regulatory authorities.** The Oversight Board and the Trust may share information with legal, supervisory and regulatory authorities and any government agencies and law enforcement bodies, or in response to a valid subpoena or legal process served by a third party, to comply with our legal obligations; protect the rights and property of Oversight Board and/or the Trust, Oversight Board's employees, the trustees of the Trust, and other stakeholders; and to detect and respond to suspected illegal activity and threats to the safety of any person, systems or services.
- **In connection with any restructuring.** Your information may be shared with third parties in order to implement any restructuring of Oversight Board and/or



the Trust, such as a merger, sale or other transfer of part or all of the assets of these organizations.

- **With other third parties, with your consent or at your direction.**

4. How does Oversight Board work with Meta and the Trust?

Oversight Board may need to share your information as an applicant with Meta and its representatives because the recruitment process may be carried out in conjunction with Meta, and because you will have access to Meta data while performing the Board Member role if you are appointed. Oversight Board acts either as Meta's data processor, service provider or sub-processor in respect of Meta data, and therefore has certain legal and contractual obligations to Meta.

As a result of reporting requirements set out in the [Trust Agreement](#), Oversight Board may need to share your information with the Trust. Furthermore, the Trust is responsible for confirming the appointment of Board Members, and therefore Oversight Board will need to share your information with the Trust as part of the Board Member recruitment process. Additionally, in limited circumstances and in keeping with data minimization principles, the trustees of the Trust may also share your information with Meta pursuant to the [Trust Agreement](#) and other documents related thereto.

5. What is our legal basis for processing data under the GDPR?

Where the GDPR applies, Oversight Board and the Trust may collect, use and share your information on one or more of the following legal bases:

- as necessary to comply with our respective legal obligations;
- to protect your vital interests, or those of others;
- as necessary in the public interest;
- as necessary for our (or others') respective legitimate interests, unless those interests are overridden by your interests or fundamental rights and freedoms that require protection of personal data;



- to perform our contractual obligations, or to take steps at your request prior to entering into a contract with you;
- in the case of certain Sensitive Information:
 - with your consent, which you may revoke at any time;
 - to carry out employment obligations;
 - to establish, exercise or defend legal claims; or
 - where the information has already been made public.

[Learn more](#) about these legal bases and how they relate to the ways in which Oversight Board and the Trust process data.

6. How can you exercise your rights provided under the GDPR?

If you are a resident of the European Economic Area (EEA) or United Kingdom (UK) you have the right to:

- **Request access** to your personal information (commonly known as a **data subject access request**). This enables you to request a copy of the personal information that Oversight Board and the Trust hold about you and to check that it is lawfully processed;
- **Request correction** of your personal information;
- **Request erasure** of your personal information. This enables you to ask Oversight Board and the Trust to delete or remove personal information where there is no good reason for Oversight Board or the Trust to continue to process it;
- **Object to processing** of your personal information where Oversight Board or the Trust is relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground;
- **Request the restriction of processing** of your personal information. This enables you to ask Oversight Board and/or the Trust to suspend the processing



of personal information about you, for example if you want to establish its accuracy or the reason for processing it; and/or

- **Request the transfer** of your personal information to another party.

To exercise any of these rights, please contact the Oversight Board's Data Protection Officer by emailing dataprotection@osbadmin.com.

7. Data retention and deletion

Oversight Board and the Trust store data until it is no longer necessary to fulfil the purposes for which it was collected. This is a case-by-case determination that depends on things such as the nature of the data, why it was collected and processed; and relevant legal or operational retention needs. Please note that the Trust may have retention periods that differ from those of Oversight Board.

In some circumstances, Oversight Board or the Trust may anonymize your information or aggregate it with other information so that it can no longer be associated with you, in which case Oversight Board or the Trust may use the information without further notice to you.

If your application to become a Board Member is unsuccessful, the Oversight Board may retain information about you for a limited period of time for consideration in future selection processes.

8. Transferring information outside the UK or EEA

Oversight Board will process your information in the United States of America (because certain trustees of Trust and Oversight Board LLC itself are located in the United States of America) and might also need to transfer your information to other non-UK or EEA countries where Oversight Board has a legitimate interest in doing so or where any other circumstance in section 2 of this privacy notice applies.



There is no adequacy decision by the European Commission or the UK in respect of the United States of America, which means that it is not deemed to provide an adequate level of protection for personal information. This may also be the case for other countries to which Oversight Board needs to transfer your information.

However, to ensure that your information receives an adequate level of protection when your data is transferred to such countries, Oversight Board has or will put in place appropriate measures. If you require further information about this, you can request it from the Oversight Board Data Protection Officer by emailing dataprotection@osbadmin.com. Any such requests will also be immediately forwarded to the individual handling such matters on behalf of the Trust where relevant.

9. Disclaimer

This privacy notice does not form part of any contract for employment or other contract to provide services. The giving of this privacy notice does not indicate any promise or offer of employment or other contract to provide services, nor any other promise (whether in relation to internship, volunteering, or otherwise).

10. Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

11. Changes to this Notice

Oversight Board and the Trust reserve the right to update this privacy notice at any time. Oversight Board and the Trust may also notify you in other ways from time to time about the processing of your information.



12. Data controllers

Under the GDPR, a data controller is responsible for deciding how it holds and uses personal information about you. For residents of the EEA or UK:

- Oversight Board LLC will be the data controller in relation to information that it receives regarding your Board Member application; and
- the Trust will also be a data controller in relation to information that it receives from Oversight Board LLC or from you directly.

Oversight Board LLC is registered with the UK Information Commissioner's Office as a data controller with registration number ZA763744.

13. Contact us

If you have any questions about this privacy notice, please contact the Oversight Board's Data Protection Officer by emailing dataprotection@osbadmin.com. Where possible, please identify whether your request is addressed to Oversight Board, the Trust or both of them.

14. Your right to complain

UK and EEA data subjects have the right to make a complaint to their national supervisory authority for data protection issues. For UK data subjects, this is the UK Information Commissioner's Office.

15. European representative

To comply with the General Data Protection Regulation (2016/679) we have appointed a European representative. If you wish to contact them, their details are (post) Bird & Bird GDPR Representative Services Ireland, Deloitte House, 29 Earlsfort Terrace, Dublin 2, D02 AY28, and (email) EUrepresentative.OversightBoard@twobirds.com.

Date of last revision: December 10, 2021



Glossary

The terms “**personal data**” and “**information**” and “**personal information**” mean any information that identifies, relates to, describes, or is reasonably capable of being associated with or linked to an individual. It does not include de-identified or anonymous data.

Board Member means an independent contractor of Oversight Board LLC, who is a member of the Oversight Board, a group of independent contractors of Oversight Board LLC who provide content review and related services to Meta.

Conflicts of Interest. Independence is important to Oversight Board. In order to ensure that it can make independent judgments and decisions, Oversight Board may ask you to declare if you or anyone Related (as defined below) to you have any “conflicts of interest” (for example, owning shares in Meta). Conflicts of Interest include but are not limited to the types of potential conflicts of interest identified in the Oversight Board Code of Conduct (contained within the Oversight Board Bylaws).

Meta means Meta Platforms, Inc., and its affiliates, including but not limited to Facebook Ireland Limited and Instagram.

GDPR means the EU General Data Protection Regulation or the national laws of the United Kingdom which implement EU General Data Protection Regulation within the United Kingdom, as applicable.

Oversight Board means Oversight Board LLC, Oversight Board UK and Oversight Board UK Services Limited and may include any additional affiliates of Oversight Board LLC from time to time. Oversight Board UK and Oversight Board UK Services Limited both operate under the management of Oversight Board LLC, a Delaware limited liability company, the sole member of which is the trustees of the Trust, collectively.



Related to you means:

- any of your family members or household members, including but not limited to a spouse or partner; parents or step-parents; siblings; children (including step-children and adopted children); a spouse's or partner's parents and siblings; uncles, aunts, nephews, nieces and cousins ("**Family Member**"); or
- your business partner, sponsor, or someone who is employed or engaged by you or by a Family Member.

Sensitive Information means information that reveals your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sexual orientation or criminal convictions, offences, allegations or proceedings.

Trust means the Oversight Board Trust u/a dated October 16, 2019, a Delaware non-charitable purpose trust, administered by the trustees who are serving from time to time under the Trust Agreement.

Trust Agreement means that certain trust agreement, dated October 16, 2019, as amended February 16, 2020, March 31, 2020, and October 13, 2020, as may be further amended, creating the Oversight Board Trust u/a dated October 16, 2019, a Delaware non-charitable purpose trust.



Legal bases for processing data under the GDPR

The rights outlined below only apply to residents of the UK or EEA.

Under European and UK law, companies must have a legal basis to process data. You have rights depending on which legal basis is relied upon, and these are explained in further detail below. No matter what legal basis applies, you always have the right to request access to, rectification of and deletion of your data under the GDPR.

The legal bases that Oversight Board and the Trust rely on in certain instances when processing your data are:

- **Your consent:**

You may be asked to provide certain Sensitive Information to Oversight Board and the Trust during the recruitment process in order to fulfil Oversight Board's purpose of providing independent content review services to Meta and to establish and maintain our reputation for impartiality and fairness (such as through our equal opportunities monitoring and any Conflicts of Interest declaration you provide). This could include information about your race or ethnicity; religious or philosophical beliefs; trade union membership; sexual orientation; political opinions and/or health.

When Oversight Board and the Trust process data that you provide to us based on your consent, you have the right to withdraw your consent at any time. To exercise your rights, please email dataprotection@osbadmin.com. Where possible, please identify whether your request is addressed to Oversight Board, the Trust or both of them.

Once Oversight Board and the Trust have received notification that you have withdrawn your consent, Oversight Board and the Trust will no longer process your information for the purpose or purposes you originally agreed to, unless Oversight Board or the Trust has another legitimate basis for doing so under the law.



- **The legitimate interests of Oversight Board or the Trust, or the legitimate interests of a third party, where not outweighed by your interests or fundamental rights and freedoms:**

Your information may be processed where it is necessary for the purposes of the following legitimate interests:

- To allow Oversight Board to recruit and retain Board Members;
- To promote and carry out the functions of Oversight Board and the Trust;
- To establish and maintain Oversight Board's reputation for impartiality, in particular by avoiding any Conflicts of Interest;
- To allow the trustees of the Trust to properly carry out their duties to oversee and administer Oversight Board where these require access to personal data;
- To comply with Oversight Board's internal policies; and
- To protect Oversight Board and/or the Trust (including our rights and property) and others, including in the context of investigations or regulatory enquiries.

You have the right to object to, and seek restriction of, such processing. To exercise your rights, please email dataprotection@osbadmin.com.

When assessing an objection to processing, Oversight Board and the Trust will consider several factors including: your reasonable expectations; the benefits and risks to you, us or third parties; and other available means to achieve the same purpose that may be less invasive and do not require disproportionate effort. Your objection will be upheld and we will cease processing your information, unless the processing is based on compelling legitimate grounds which override your interests, rights and freedoms, or is needed to establish, exercise or defend a legal claim.

- **To enter into or perform a contract:**

Oversight Board may process your information in order to enter into, perform or consider entering into, a contract with you. Depending on the type of information



requested, Oversight Board may not be able to enter into the contract with you if you do not provide this information.

- **To carry out legal obligations in connection with any engagement:**

For instance, Oversight Board may need to process your information (including Sensitive Information) to carry out legal obligations in relation to your prospective engagement (such as making reasonable adjustments for any disability you may have).

- **To establish, exercise or defend legal claims:**

Oversight Board and the Trust may need to process your Sensitive Information to establish, exercise or defend legal claims. For example, Oversight Board may use your information to show that it has not discriminated against candidates on prohibited grounds or that it has conducted the recruitment exercise in a fair and transparent way.

- **Compliance with legal obligation:**

For processing data when the law requires it, including, for example, if there is a valid legal request for certain data.

- **Where the information has already been made public:**

UK and EEA law does not require us to obtain your consent in order to process Sensitive Information where you have manifestly made it public (for example, the political views of a politician).

- **Protection of your vital interests or those of another person:**

It may be necessary to process your Sensitive Information to investigate and combat threats made to members of Oversight Board's staff or to any trustees of the Trust or their staff.

- **Tasks carried out in the public interest:**



For example, to promote safety, integrity and security, where this is necessary in the public interest. This could include ensuring equal opportunities for Board Member applicants from all backgrounds and promoting a diverse workforce.

When Oversight Board and the Trust process your data as necessary for a task carried out in the public interest, you may have the right to object to, and seek restriction of, our processing. To exercise your rights, please email dataprotection@osbadmin.com. In evaluating an objection, Oversight Board and the Trust will take account of several factors, including: your reasonable expectations; the benefits and risks to you and third parties; and other available means to achieve the same purpose that may be less invasive and do not require disproportionate effort.