

# Red Hat Candidate Privacy Notice

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## Scope of this Privacy Notice

This Red Hat Candidate Privacy Notice ("Privacy Notice") supplements the [Red Hat Privacy Statement](#). Red Hat, LLC, and its affiliated companies and subsidiaries (collectively, "Red Hat") respect your privacy. We request that you read this Privacy Notice.

This Privacy Notice explains how Red Hat processes your personal data during the recruitment and hiring process in order to progress your application, which may culminate in the entering into a contract with you.

## The categories of personal data we collect

Although it will vary by the country and nature of the role for which you apply, the personal data you provide and we process may include:

- *Contact information:* Your first name and last name, preferred name, address, email address, phone number(s);
- *Account information:* Information Red Hat maintains in association with your Red Hat account, such as your account number, username/user ID, password, your preferred language and other preferences;
- *Professional and employment-related information:* Education history, work experience, CV, resume, information about your primary country of residence and citizenship, additional countries of interest, country you are applying to and the eligibility to work there, areas and communities of interest;

- *Other application-related information:* Cover letter, personal statement and references if provided; any interviewer or recruiter notes from their interactions with you or with the Red Hat employee who recommended you; if during the recruitment process you complete a video enabled assessment, we may store the video recordings of the assessment; if during the recruitment process you complete a coding assessment, we may record and store any code created in response to the given exercises. Additionally, we may store one or more webcam photos of you completing the exercises;
- *Relationship with other parties:* Whether you have ever worked for Red Hat, Red Hat's parent International Business Machines Corporation ("IBM"), a Red Hat business partner and any of their affiliates or subsidiaries; whether you have any government experience and if you signed any or accepted any agreement or are otherwise subject to any restriction with your current or former employers;
- *Pre-employment verification checks, such as right to work, educational, credit, health, criminal records and background check information:* Depending on the country and role and in accordance with local laws and where an offer of employment has been made to you, pre-employment verification, right to work documentation (including government-issued identifiers), criminal records and background check information; information about your health status (such as where occupational health checks are required); If Red Hat is required to assess immigration requirements to legally hire you in the country where the role will be based, you may be asked to provide right to work documentation before an offer of employment has been made to you; You will receive more information about the nature of the pre-employment verification checks before they begin;
- *Demographic data:* Depending on the country you are applying and in accordance with local laws, your date of birth, marital status, nationality, veteran status, disability, ethnicity, gender, race and religion;
- *Accommodation and adjustment information:* Whether you require any accommodations/adjustments;
- *Trade union, works council membership or employee representative status:* if you proactively disclose such type of information in your CV/resume or during the interview process, however, we will not request this information from you.

## **How we use (process) your personal data**

In response to your application or your interest about job positions, your information will be used by Red Hat as necessary to:

- Verify your information and conduct relevant and appropriate legally permitted pre-employment and eligibility verification checks, as well as to assess your skills, qualifications and experience;
- Comply with local, national or international laws, obligations and legal requirements;
- Communicate with you about Red Hat events, careers opportunities and the recruitment process including any interviews;
- Contact you for other, future roles which may be of interest to you and aligned to your skillset;
- Complete the selection process;
- Conduct surveys and research activities with the objective of improving Red Hat's recruiting process;
- Perform analysis of our applicant pool to better understand who is applying to positions at Red Hat and how to attract top talent; and
- Where legally permissible, we may ask you to voluntarily disclose your disability, ethnicity, gender and nationality, to help Red Hat with its diversity and inclusion programs (such as to assess the Red Hat workforce, promote benefits and inclusive policies for the related population).

By submitting your application, you authorize Red Hat to store your personal data in Red Hat's recruitment tools for the secure storage of your data while your application is assessed and otherwise as set out above.

If you are given and accept an offer of employment by Red Hat, the personal data collected during your pre-employment period may become part of your Red Hat employment record, to be retained throughout and for a period of time after your employment with Red Hat (specific periods vary by country). If Red Hat does not employ you, Red Hat will retain your personal data according to the document retention policy after which your personal data will be erased from the Red Hat recruitment systems.

### **Legal basis for processing your personal data**

In some jurisdictions, the lawful handling of personal data is subject to a justification, sometimes referred to as legal basis. The legal bases that we rely on for the lawful handling of your personal data vary depending on the purpose and stage of the recruiting, hiring or employee onboarding process you are in, and applicable law.

The different legal bases that we may use are:

- **Necessary for the performance of a contract with you**

We rely on this legal basis to process your personal data for the purposes of preparing to enter into an employment contract with you.

- **Necessary for the purposes of Red Hat's legitimate interest**

We rely on our legitimate interests when processing your personal data for the purposes of sourcing suitable talent for Red Hat's workforce.

- **Consent**

The processing of your personal data is based on your consent where we request this or when consent is required by applicable law.

- **Legal obligation**

We rely on this legal basis to process your personal data due to obligations stemming from, for example, local labor or tax laws when preparing to begin an employment relationship with you.

## **How we disclose your personal data**

Your information may be accessed by and shared with Red Hat recruiters, Red Hat recruitment outsourcing vendors, Red Hat Talent Acquisition and HR team, and employees of Red Hat who are involved in the recruitment process on a need-to-know basis, such as the interviewers and hiring manager, as relevant and necessary for your application for the role you are being considered for.

In some cases, Red Hat shares your personal data with third parties if legally required or allowed, to achieve the purposes informed above. Depending on the geography, these third parties may include, but are not limited to, suppliers of human resource information systems used by Red Hat, immigration and background check suppliers and suppliers related to occupational health and safety management services systems.

Your information may be shared with government officials where legal reporting requirements may exist, or law enforcement agencies or private litigants in response to a valid law enforcement process (warrant, subpoena, or court order).

## **Data transfers**

We may transfer your personal data from the country to which you applied to systems or infrastructure hosted in other countries, or people in one or more Red Hat subsidiaries in other countries as applicable for the purpose of processing your application, while ensuring that your data is processed according to local laws and Red Hat requirements. Red Hat has implemented various safeguards to keep your personal data protected, wherever it may be, including contractual clauses, such as those approved by the EU Commission and accepted in several other countries. More information can be found under the "[Data Transfers](#)" section of the [Red Hat Privacy Statement](#).

## **Your rights and choices**

In accordance with the laws of certain countries, you may have certain rights when it comes to the handling of your personal data. Information regarding these rights, including information on how to make a complaint, can be found in the section "[Your rights and choices](#)" in the [Red Hat Privacy Statement](#). You can contact us in relation to your rights, ask questions about this Privacy Notice, Red Hat's Privacy Statement and privacy practices, submit a data subject request or submit a complaint using this [Personal Data Request Form](#). You may also access and correct personal data you have submitted regarding your application online by logging into the [Red Hat Careers portal](#).

Please be aware that depending on the circumstances, if you request us to delete or otherwise stop processing your personal data, we may not be able to proceed with your application, as it may depend on the use of such personal data.

## **Declaration and confirmation**

You declare and confirm that the information you have provided as part of your application is true and complete. You must promptly update any information you have provided as and when there are changes. You understand that any misrepresentation or deliberate omission of fact may lead to Red Hat's termination of your employment or consideration for employment.

## **Changes to this Privacy Notice**

Red Hat reserves the right to make corrections, changes or amendments to this Privacy Notice at any time. The revised Privacy Notice will be posted on this website. For more information, see "[Changes to this privacy statement](#)" section of the [Red Hat Privacy Statement](#).

## **How to contact us**

The Red Hat company you are applying to controls what personal data is collected and how it is used. In some countries this is referred to as the "controller." See [www.redhat.com](http://www.redhat.com) for a list of Red Hat [Office Locations](#). More information on how to contact Red Hat, can be found in the "[How to Contact Us](#)" section of the [Red Hat Privacy Statement](#).