



NICA Privacy Policy

1. Purpose

This policy outlines how the National Institute of Circus Arts (NICA) manages personal and health information of staff, students, and other individuals in accordance with:

- **Privacy and Data Protection Act 2014 (Vic)** – including the Information Privacy Principles (IPPs)
- **Health Records Act 2001 (Vic)** – including the Health Privacy Principles (HPPs)
- Any other applicable laws, regulations, or contractual obligations.

2. Scope

This policy applies to:

- All staff, students, contractors, volunteers, and affiliates of NICA
- All personal and health information collected, stored, used, or disclosed by NICA in any format (digital, paper, audio-visual, etc.)

3. Definitions

- **Personal Information:** Information or opinion (recorded or not) about an identifiable individual.
- **Health Information:** Information about an individual's physical, mental, or psychological health, disability, or health services provided.
- **Sensitive Information:** Information about racial or ethnic origin, political opinions, religious beliefs, sexual orientation, or criminal record.

4. Collection of Information

- NICA will only collect personal and health information that is **necessary** for its functions and activities, such as:

- Enrolment and academic administration
- Employment and HR management
- Provision of health and wellbeing services
- Compliance with legal and regulatory obligations
- Information will be collected **lawfully, fairly, and not in an unreasonably intrusive way.**

Staff should be aware of the Core obligations of collecting private information:

1. **Collection** – Only collect personal information that is necessary for your functions. Collect lawfully, fairly, and not intrusively.
 2. **Notice** – Inform individuals why you're collecting their information, how it will be used, and who it may be disclosed to.
 3. **Use & Disclosure** – Use/disclose only for the primary purpose collected, unless an exception applies (e.g., consent, legal requirement).
 4. **Data Quality** – Take reasonable steps to ensure information is accurate, complete, and up to date.
 5. **Data Security** – Protect against misuse, loss, unauthorised access, modification, or disclosure.
 6. **Openness** – Have a clearly expressed privacy policy available on request.
 7. **Access & Correction** – Allow individuals to access and correct their personal information (often via FOI processes).
 8. **Unique Identifiers** – Limit use of unique identifiers (e.g., student/staff numbers) to necessary purposes.
 9. **Anonymity** – Offer anonymity where lawful and practicable.
 10. **Transborder Data Flows** – Only send personal information outside Victoria if equivalent privacy protections apply.
 11. **Sensitive Information** – Collect only with consent or where authorised by law.
- Individuals will be informed of:
 - The purpose of collection
 - How their information will be used and disclosed
 - How they can access and correct their information
 - Whether provision of information is required by law
 - Consequences of not providing the information

5. Use and Disclosure

- NICA's Privacy Collection Statement describes the kinds of data we collect and how it will be used
- Information will be used or disclosed **only for the primary purpose** for which it was collected, unless:
 - The secondary purpose is related (or directly related for health/sensitive information) and the individual would reasonably expect it;
 - The individual has consented; or
 - It is required or authorised by law.
- Examples of disclosure include:
 - To government agencies for reporting and compliance
 - To contracted service providers under strict confidentiality obligations
 - To health professionals for the provision of care

6. Data Quality and Security

- NICA will take reasonable steps to ensure information is **accurate, complete, and up-to-date**.
- Information will be stored securely and protected from unauthorised access, modification, or disclosure.
- Access to personal and health information is restricted to authorised personnel.

7. Access and Correction

- Individuals have the right to request access to their personal and health information and to request corrections if it is inaccurate, incomplete, or out of date.
- Requests should be made in writing to the Operations Manager, People & Culture

8. Anonymity

- Where lawful and practicable, individuals may choose to interact with NICA anonymously or using a pseudonym. However, this may limit NICA's ability to provide certain services.

9. Health Information

- Health information will be handled in accordance with the **Health Privacy Principles** under the Health Records Act 2001 (Vic).
- This includes additional safeguards for collection, use, and disclosure, and specific rights for individuals to access their health records.

Staff should be aware that Health Privacy Principles apply to the collection, use and handling of identifying personal information that is defined as "health information" under the Act. This will include:

- information or opinion about the physical or mental health, or disability, of an individual
- an individual's expressed preferences about the future provision of health, disability or aged care services to him or her
- the nature of health, disability or aged care services that have been, or are to be, provided to an individual
- information originally collected in the course of providing a health, disability or aged care service to an individual
- personal information collected in connection with the donation of human tissue
- genetic information that is or could be predictive of the health of an individual or their descendants.

10. Data Breaches

- NICA will respond promptly to any actual or suspected data breach, in line with applicable legal requirements and internal procedures.
- Where required, affected individuals and relevant authorities will be notified.

11. Roles and Responsibilities

1. **All staff and contractors** must comply with this policy and relevant privacy laws.
2. **The Operations Manager, People & Culture** is responsible for:
 - Providing advice on privacy compliance

- Managing privacy complaints and access requests
- Overseeing privacy training and awareness
- Ensuring NICA contractor's safeguard student information appropriately

12. Complaints

- Complaints about privacy practices should be directed to the **Operations Manager, People & Culture**
- If unresolved, individuals may contact the **Office of the Victorian Information Commissioner (OVIC)** or the **Health Complaints Commissioner**.

13. Review

This policy will be reviewed every 2 years or sooner if there are changes to relevant legislation or NICA operations.

Contact: NICA Operations Manager, People & Culture people&culture@nica.edu.au

This policy is reviewed bi-annually and updated to reflect legislative changes and best practices.

Version 1	Approved By	Date	Review date
G – 005 NICA Privacy Policy	NICA, CEO	28/10/25	
G – 005 NICA Privacy Policy V2	NICA, CEO	28/08/2026	28/08/2028

NICA Privacy Collection Statement

NICA respects the privacy of all individuals we engage with. We are committed to handling personal and health information fairly and lawfully.

Our students, staff and stakeholders are important to us. We need to stay in touch with you, so it is important that the information we hold about you is accurate, complete and current. We ask that you please keep us up to date with changes to personal details.

This statement is intended to notify you of NICA's usual collections, uses and disclosures of personal information and should be read in conjunction with our **Privacy Policy**.

For the purposes of this statement, NICA's management of personal information refers to activities relating to collection, use, and disclosure, to storage and disposal.

Purpose of Collection

1. NICA collects your personal and, where relevant, health information to:

- Administer your program application, enrolment or employment
- Deliver academic programs and student services
- Manage staff employment and workplace obligations
- Provide health, wellbeing, and support services
- Comply with legal and regulatory requirements

2. Legal Authority We collect and handle your information in accordance with:

- *Privacy and Data Protection Act 2014 (Vic)* and the Information Privacy Principles (IPPs)
- *Health Records Act 2001 (Vic)* and the Health Privacy Principles (HPPs)
- Other applicable laws and institute policies

3. Use and Disclosure Your information will be used for the purposes outlined above and may be disclosed to:

- Relevant NICA administrative, teaching staff and service providers under confidentiality obligations
- Government departments and agencies (e.g., for reporting and compliance)

- Health professionals (where you have sought or require health services)
- Other third parties where required or authorised by law

4. Consequences of Not Providing Information If you choose not to provide requested information, we may be unable to process your enrolment, employment, or provide certain services.

5. Access and Correction You have the right to request access to, and correction of, your personal and health information held by NICA. Requests should be directed to the NICA Operations Manager, People & Culture.

6. Contact

NICA Operations Manager, People & Culture people&culture@nica.edu.au