



**Deputy Premier
Minister for Education**

The Hon. James Merlino, MP

1 Treasury Place
GPO Box 4367
East Melbourne, Victoria 3002
www.education.vic.gov.au
Telephone: (03) 9651 1222
Facsimile: (03) 9651 1186

COR006409

Ms Freda Villella
Coroners Registrar
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK 3006

Dear Ms Villella

Investigation into the death of KYLE W VASSIL – COR 2010 000661

Thank you for your letter addressed to the former Minister for Education, regarding the investigation into the death of Kyle Vassil, a former student at Aquinas College, and enclosing Coroner White's inquest findings including recommendations under the *Coroners Act 2008 (Vic)* (the Act).

Having reviewed the Coroner's recommendations I now provide a statement of actions that will be taken in relation to the recommendations, as required under the Act.

Recommendations 1, 4, 5 and 6

Recommendations 1, 4, 5 and 6 are directed to other entities. I will nevertheless consider their application (if any) to my portfolio in due course, and if appropriate, you will be updated as to their implementation within my portfolio.

Recommendation 2

The Coroner has recommended that the responsible Minister and the Victorian Regulation and Qualifications Authority (VRQA) 'give consideration to promoting the notion of the voluntary adoption of the [DET's] protocols, by all Victorian Schools' by including them 'within the VRQA Guide, and in all other related VRQA materials.'

I support this recommendation, noting that the 'protocols' known as the *Recreational Swimming Activity Guidelines* (Swimming Guidelines) already apply to all Victorian government schools. My Department will reinforce implementation of this recommendation by distributing a



Circular to all Victorian government schools reminding them of the Swimming Guidelines, which are available at the following link:

<http://www.education.vic.gov.au/school/principals/health/Pages/outdoorswim.aspx>

This action will be undertaken at the commencement of Term 1, in the 2015 school year.

A copy of the Circular will be provided to you in due course.

The VRQA intends to act immediately to fully implement this recommendation in respect of non-government schools by late 2015 and prior to the next swimming season. To facilitate this, the VRQA will undertake the following actions:

- Promote the Swimming Guidelines in Term 1, 2015 to registered non-government schools by sending letters to school system owners and other non-systemic independent schools as well as Independent Schools Victoria (ISV). The letters will commend the Swimming Guidelines, provide the relevant link, and invite them to encourage their schools to voluntarily adopt the Swimming Guidelines
- By mid-year, engage in consultation with school system owners and relevant stakeholders in relation to changes to the *VRQA Guide to the Minimum Standards and Other Requirements for School Registration* (VRQA Guide)
- Re-draft the VRQA Guide to include specific reference to the Swimming Guidelines and encourage all schools to comply with them as part of their registration
- Distribute the updated VRQA Guide and publish it on the VRQA website in late 2015, before the next swimming season.

I understand that the VRQA will provide you with a copy of the updated VRQA Guide in due course.

Recommendation 3

The Coroner has recommended that when all schools are voluntarily complying with the Swimming Guidelines, the VRQA consider making compliance a condition of registration for all schools in Victoria.

Both my Department and the VRQA will consider implementation of this recommendation once recommendation two, as described above, has been implemented and an assessment has been made as to the ability of all schools to comply with the Swimming Guidelines. If it is apparent that compliance with the Swimming Guidelines is practical and achievable for all schools, following appropriate consultation, consideration would be given to the most suitable mechanism for compliance.

My Department will keep you updated on the progress of the implementation of this recommendation in due course.

If there are any questions in relation to my Department's implementation of the recommendations, please contact Ms Kate Rattigan, Executive Director, Legal Division, DET on (03) 9637 3146.

If there are any questions in relation to the VRQA's implementation of the recommendations, please contact Ms Lynn Glover, Director VRQA on (03) 9032 1520.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'James Merlino', with a long horizontal flourish extending to the right.

The Hon. James Merlino, MP
Deputy Premier
Minister for Education

28 / 1/20 15