

## Code of Practice:

# Why Try Program (WTP) Certified Facilitators (Australia)

**February 1, 2004**

### **The Parties involved:**

This Code of Practice binds all Certified Facilitators of the Why Try Program in Australia to the copyright and licensing conditions imposed by Why Try Inc.(USA) whose founders will assiduously protect and defend their intellectual property in Australia, with The Oztry Consultants, its legal and exclusive representatives.

The Oztry Foundation Inc. is the non-profit incorporated association established to raise financial sponsorship from community based service organizations and corporate donors to enable the administration and delivery / offering of the Why Try Program to benefit as many Australian youth as possible, that is to endeavour to 'democratise' the program.

Only Certified Facilitators will be permitted to conduct and use the Why Try Manual, teaching and learning materials (Music CD, posters, Visual Analogies ) in the manner prescribed and agreed to by all parties involved in the administration and public offering of the Why Try Program (WTP ) for the benefit of Australians.

### **General Standards – Each Certified Why Try Program Facilitator**

- Accepts a positive duty of care to observe the highest standards in the practice of conducting and the using of Why Try Program materials and in promoting the benefits of the Why Try Program in his/her place of employment, in public presentations and in individual counseling situations.
- Adheres to the highest standards of accuracy and truth, avoiding extravagant claims and unfair comparisons and will give credit for ideas and words presented by "clients" ( persons who are exposed to Why Try program modules and learning materials ) when in a group or one-to-one situation with a Certified Facilitator.
- Shall not directly or indirectly invite any person or organization to use any Why Try Program and Oztry Foundation materials in a situation, location or manner which would breach Copyright Guidelines.
- Shall be required to seek Why Try Facilitators' Re-Accreditation on an annual basis.
- Shall not guarantee the achievement of results to their clients but shall endeavour to share and use the Why Try materials

diligently and with an interest help clients benefit as much as possible from their participation.

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### **Client Relations and Copyright Guidelines: Each WTP Facilitator**

- Safeguards the confidences of both present and former clients. The Facilitator shall not disclose or use these confidences to the disadvantage or prejudice of Why Try clients or to the financial advantage of the Facilitator, unless the client has released such information for public use, or has given specific permission for its disclosure, except upon the order of a court of law.
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- Participate in authorized program evaluation projects or exercises in providing feedback aimed at improving the program, its delivery and benefits to 'clients'.
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- Shall adhere to the following Copyright Notice: Why Try Inc as copyright owner of the Why Try Program manual and materials and its Australian exclusive representatives ( The Oztry Consultants ) hereby grant limited permission to Certified Facilitators in Australia who are in possession of an original copy of the Why Try Program manual to make copies of the Why Try Visual Analogies, provided that such copies are **ONLY** given to **Clients/students** in a counseling setting and are used for **NO** other purpose. No permission is granted to distribute or publish any of this material for any other purpose, without the written consent of The Oztry Consultants in Australia.

### **Disclaimer and Warning:**

- The purpose of the Why Try Program is to teach people, especially youth, ten visual analogies to help them deal with life's daily pressures and challenges. Facilitators of the Why Try Program should have a good understanding of human development and cognitive and behavioral interventions. They should use their discretion and apply the program only within the bounds of their professional training and licensing and within the limits and rules of their practice setting, employment situation and authorized employment responsibilities.
- If issues arise outside of the WTP Facilitators professional training and licensing, they should refer clients to proper and qualified authorities and licensed mental health professionals. Such issues may include but are not limited to the following: Clients with serious emotional or mental illness; clients dangerous to self or others; clients having experienced abuse or neglect; and so forth. Since each WTP Facilitator or client is different, Why Try Inc., The Oztry Consultants and the Oztry Foundation Inc. cannot guarantee the

success of Why Try Facilitators nor the final behavioral outcomes for WTP participants or 'clients'.

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- The Why Try Program includes experiential activities. Improper use of the equipment and activities described in the Manual may result in injury. Activities should therefore not be attempted without the supervision of trained and qualified Facilitators.
- Neither the authors, publishers, Certified Facilitators, presenters or the Australian representatives of the Why Try Program materials assume any liability for loss or damage, direct or consequential to the readers and clients resulting from the use of the materials contained in the training manual and materials, whether such loss or damage results from errors, omissions, ambiguities or inaccuracies in the materials.

NO WARRANTIES, EXPRESS OR IMPLIED, AS TO MERCHANTABILITY OR AS TO FITNESS FOR ANY PARTICULAR USE OR PURPOSE ARE INTENDED TO ARISE OUT OF THE HIRE OR SALE, DISTRIBUTION OR PRESENTATION OF WHY TRY PUBLICATIONS AND MATERIALS. THEY ARE SOLD OR HIRED "AS IS" AND "WITH ALL FAULTS"

The liability of the authors, trainers, Facilitators, Australian representatives, presenters, sellers on account of such errors, omissions or ambiguities shall in any event be limited to the purchase or hire price of Why Try Program publications and materials.

### **Fees and Facilitation Income: Why Try Facilitators**

- Facilitators are not permitted to accept delivery service fees, on a contract or job-to-job basis, while using Why Try program materials within any other organization or with any individual not deemed as an authorized recipient or beneficiary of the Why Try program, without the written approval and authorization from The Oztry Consultants.
- When opportunities do arise, Certified Facilitators will be offered opportunities to conduct Why Try groups, camps or projects, on a fee-for-delivery service basis. Certified Facilitators in employment should seek permission/consent from their employers, if applicable, to facilitate Why Try programs outside the context of their employment.

- There will be Certified Facilitators who will be authorized to act as independent free lance, and part or full-time Facilitators who will be active in conducting the Why Try Program and other Oztry educational programs throughout the year.

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**Why Try Facilitators Code of Practice:**

I .....of  
 Organization.....  
 Address:.....  
 State..... Post Code.....  
 Title in organization:.....  
 Personal address:.....  
 Telephone:.....Mobile:.....

hereby acknowledge and agree to adhere to the Code of Practice, stated on pages 1 to 3 above,for Oztry Certified Facilitators of the Why Try Program in Australia.

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.....  
**(Signature of Certified Facilitator) (Witness: Name/Signature)**

**Date:**.....

Name:..... Name: .....  
**(On behalf of The Oztry Consultants) ( witness )**

.....  
**Signature**

.....  
**Signature**

**Date:**.....

**The Oztry Consultants.  
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Email: [win@oztry.org](mailto:win@oztry.org)**