My Definition of ethical actions derives from a Utilitarian perspective, which means that I evaluate actions based on the consequences. This normally means that actions which do the greatest good for the greatest number are considered ethical. I make ethical decisions based entirely on the situation, as I believe there are very few if any, absolute right or wrong actions. The BCS code of conduct provides a guideline to illustrate how an individual or company should behave in a professional manner. This is particularly important because there are many cases where failure to conform to this code of conduct could result in many serious consequences.

Ocean Ltd is only a small software development so it is vital for them to maintain relations with their customers. They have built customer loyalty with Network Solo; the question arises that will this loyalty be damaged or tarnished in any way from reusing the code for the accounting software? From what I can tell from the stimulus, this software was tailor made for Network Solo. It seems a risk to redistribute this software then to another customer if it wasn’t made for them. If the software was a general product that companies buy the licence to use then I think this would be acceptable but the fact that they seem to have given the source code to Network Solo illustrates that this wasn’t the case. In the BCS code of conduct rule 3b it says that you should avoid conflict of interest and in rule 1b where it says that you should respect the rights of third parties. In this situation I think that Ocean Ltd should consult with Network Solo before distributing this software so that they also understand the situation and can raise any concerns that could otherwise damage the reputation between the two companies.

Furthermore when looking at their actions toward the redistribution of software I think that some issues could surface due to legal and ethical concerns. The issue of copyright appears to be prominent in this scenario as an argument for literal copying can be made if the original author retains the copyright for the software. I think this because a significant amount of the code is being copied or reused and the code required skill to create. As it states in the BCS code of conduct rule 2a “only undertake to do work or provide a service that is within your professional competence” and 2b which says “Not claim any level of competence that you do not possess” In my opinion this applies to the scenario as the employee which had the skills to create this software has since left Ocean Ltd so they no longer have access to those expertise. In addition to this we do not know if the employee was replaced with someone of a similar skill level and knowledge. Therefore Ocean may have no choice but to reuse the software as they can no longer create and alternate program that performs the same function. This seems to raise ethical issues as they can no longer claim to be able to create this product and this could be argued that they are misleading their customers.

In the case of Ocean Ltd the question is whether they own the copyright for the software or if they have permission from the original author. If Ocean Ltd own the rights to the software then for me then there is no ethical objection as it belongs to them and is a product they can sell to their customers. The original author could be credited in the software so that everyone involved is accounted for. This is important because the employee is no longer present at the. The BCS Code of conduct rule 3c which says that you should “accept professional responsibility for your work and for the work of your colleagues…” By acknowledging the original author they are not misrepresenting their company and they will avoid any conflict. This would ease the situation as it would be easy for the original author to cause problems if they feel they have been treated in a manner they do not deserve. For example they could take legal action for the copyright which would be expensive, time consuming and will damage the reputation of Ocean Ltd. Being a small company in the industry this could be a disaster for them as they would be branded as an unethical business.

Ocean Ltd have found an issue within the accounting software that has a charge of 0.001 pence for using Network Solo’s service, this has many negative connotations as it shows a dishonesty to their customers. The fact that Ocean found this bug shows that Network Solo either didn’t know about the issue or that they covered it up. Rule 3e in the BCS code of conduct says that you should “Not misrepresent or withhold information on the performance of products, systems or services”. In my opinion this action is highly unethical as there is a hidden charge to the consumer. Therefore Ocean Ltd has an obligation to notify the BCS of this as it could damage the reputation of the BCS and customer relations when using they wish to purchase their software. There are also issues with legislation as the Trade Descriptions act of 1968 outlines that to fail to specify all the necessary information to the consumer can lead to fine and maybe in some cases imprisonment as it is a criminal offence. This law has now been replaced by the Unfair Trading Regulations 2008 but most of the same rules on fair trading still apply. It seems to be easier for software companies the implement hidden charges, as purchases are not in the form of a contract but instead in the form of a licence so they can apply these charges and go under the radar. Network solo should be held accountable for this even though it is only 0.001 pence, when dealing with high figures it could have a significant effect on the consumer.

In conclusion I think that Ocean Ltd have no choice but to reuse the accounting software. I think this because from what I assume they no longer have the skills to replicate this software. However this is fairly unethical but not as unethical as Network Solo’s actions who should be reported to the BCS for unfair conduct towards their customers. If they admit that they did not know about the error and they say that it was a mistake and then fix this problem then I feel they can be considered ethical. However if this bug was intentional then they definitely are unethical. As for the original author of the software as long as they are credited with the creation of the software then I have no ethical objection in this scenario towards Ocean Ltd. So long as there is no elements of copyright infringement present when redistributing the accounting software. Finally this scenario show a broad range of actions and it is difficult for me to comment of how ethical they are as I usually look at the consequences and then look at the action. I have tried throughout this essay to illustrate my reaction to these action by creating consequences to apply the actions to.

[BCS Code of Conduct|2011]

[BBC News Law commissions urge tougher action on hidden charges|19 March 2013]