Introduction
This procedure addresses requests for non-core software by staff for installation for their use.

The goal of this procedure is to ensure that staff has used the appropriate channels to obtain permission to have the software installed and that the software is considered necessary by their line Group Manager.

Under the security structure that ICT have implemented for Council’s devices, staff is unable to install software. The installation of software can only be completed by an “administrator”; ICT staff has this level of access to Council’s devices.

It also addresses the need for staff to be aware of the terms of the User Licence Agreement that relates to the software being requested.

Purpose
The installation of software requires the installer to agree to the terms and agreements as set out in the software User Licence Agreement (ULA) that relates to the software being installed. The purpose of this procedure is:

- To ensure that Council meets its legal requirements in regard to the use of computer software.
- To ensure that the staff member understands their legal obligations with regard to the software.
- To protect ICT staff members from breeches of software ULA’s by actual users and remove the situation where ICT staff are giving “legal advice”.

Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Software</td>
<td>Any material that can be loaded onto a computer from any source. Software includes, but is not limited to, locally developed programs and those acquired from external sources:</td>
</tr>
<tr>
<td></td>
<td>• Operating system software and associated utility and support programs;</td>
</tr>
<tr>
<td></td>
<td>• Application enabling software; including data base management, telecommunications and networking software</td>
</tr>
<tr>
<td></td>
<td>• Application software.</td>
</tr>
<tr>
<td>Devices</td>
<td>Not limited to mean computers but to include any piece of electronic equipment owned by council.</td>
</tr>
</tbody>
</table>

Council’s position statement on installation non-core software
Council is obliged to comply with all current Australian legal provisions governing copyright protection for computer software supplied to Council.

Councillors, staff and consultants must comply with all licensing or purchasing terms and conditions required by suppliers that regulate the use of any software Council purchases or leases.
Attention is drawn to the clauses below that are detailed in procedure 5.09.3 Computer hardware & software acceptable use, which all staff have agreed to when signing the document at commencement of employment.

- Council will under no circumstances sanction the making or use of unauthorised software copies by Councillors, staff or consultants. Council will take disciplinary action, if any staff member or consultant is found to be engaging in the unauthorised duplication of software. Depending on the circumstances, this action may include termination.

- The installation of software on all Council owned equipment is only to be performed by a member of the ICT section or under their delegation.

- The ICT section shall hold all licences for any software loaded on Council equipment; staff is to pass any licence to ICT.

Council’s implemented security on devices includes that software can only be installed by the device “administrator”. This requires an ICT staff member (who has this level of access) to install all software.

The installation of software requires the installer to agree to the terms and agreements as set out in the software User Licence Agreement (ULA) that relates to the software being installed.

This procedure addresses the situation where the actual user of the software is not the person doing the installation as the installation was performed by an ICT staff member under request and instruction from the actual user of the software.

This procedure requires the staff member requesting the software to acknowledge that they have seen, read and understand their obligations set out in the terms and conditions of the software ULA to accept full and sole responsibility for their action in using the software and indemnify the ICT staff member from any breeches of the software ULA as may occur by the actual user.

This procedure is an acknowledgment by the staff member requesting the software that will not be relying on advice regarding permissible usage from ICT staff.

**Responsibilities**

Group Managers are responsible for authorising the installation of software. The staff member is solely responsible for their actions in using the software.

**Sanctions**

Users who violate any of the conditions of this procedure may be subject to disciplinary action including (but not limited to) written warnings and revocation of access privileges. Council is obliged to report any illegal violations to the appropriate authorities.

**Other relevant documents**

This procedure is to be read in conjunction with the Council’s policies 5.02 Behaviour of Councillors and Staff and 5.09 Information Technology respectively.

It is also to be read in conjunction with Council’s procedure 5.09.3 Computer hardware & software acceptable use.
Attachment1: 3rd Party Software Request and Licence Usage Agreement

Acknowledgement

I, (print name) ______________________________ request installation of

Software: ____________________________________________

For the purpose of: ____________________________________________

GL number: ______________________________

Group Manager Name: ______________________________

Group Manager Signature: ______________________________

ICT staff member performing installation: ______________________________

ICT staff member signature: ______________________________

I, (print name) ______________________________ acknowledge that I have read and understood my obligations as detailed in the software User Licence Agreement (see signed attached copy) for software: ______________________________

I understand that the basic premise of this agreement is that it is intended to protect ICT staff and not to entrap people making reasonable efforts to comply with software ULAs.

I understand that by signing this document (and signing the attached ULA) that I have agreed to take full responsibility for the usage of the software package and acknowledge that the ICT staff member who installed the software was acting as an agent under instruction from myself with the understanding that I would be the individual accepting and agreeing to the terms and conditions of the software ULA.

I understand that by signing this document that I acknowledge that I have read and understood this document. I further understand that it is my responsibility to seek advice regarding any questions that I might have regarding this document prior to my signing.

Signed ______________________________ Date ______________________________

Witness name ______________________________ Witness signature ______________________________