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*Amendment History at end of document*

## **1. Introduction**

The Lymm Photographic Society (LPS) prides itself on being a responsible and ethical amateur community group. As such, it encourages its members to act in accordance with these Guidelines when undertaking their photographic activities or when representing the Society. It is hoped that some of these Guidelines may also inform our members’ activities outside the strict remit of the club, such as the environmental suggestions.

We have an obligation, both as a collective and as individual photographers, to manage ourselves in many situations such as when photographing people, nature/wildlife, landscapes and undertaking street photography and photojournalism, as well as when meeting as a group to share our enthusiasm for our hobby.

Please act respectfully and responsibly at all times. Society members alone are responsible for their own actions and these are not the responsibility of the Society.

## **2. Scope**

These guidelines are intended for the reference of LPS members. Any legal points mentioned are specific to UK law only. Whilst LPS relies on its members’ good judgement when it comes to their involvement in the Society’s activities, this best practice guide is



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presented to provide an opportunity for members to have a reference point for responsible behaviour in their photographic endeavours when acting in the context of the Society. What it sets out is mostly common sense.

There is an expectation that the spirit of these Guidelines will extend to guests, speakers and others involved in LPS's activities and the Society looks to its members to support this.

### **3. Out and about**

3.1 At all times remember that the welfare of the subject, be it geological or biological, is more important than the photograph. Respect the rights of other photographers and non-photographers to enjoy a scene as well. Just because you can take a photograph, doesn't necessarily mean that you should.

3.2 Please respect the environment and private/public property; do not take any actions which conflict with the protection of nature and wildlife subjects and do not cause them distress or harm – consider if your proximity to wildlife is appropriate. Familiarise yourself with the subject and any associated restrictions (e.g. threatened species or site of special scientist interest). At all times remain aware of the fragility of the ecosystem - do not damage, tamper with or remove any plant, life form or natural object in such a way that could lead to temporary or permanent defacement or destruction. It is preferred that live baited wildlife photographs are not shown at the Society. 1

3.3 Whilst members of the public do not need a permit to photograph in public places and the police have no power to stop them, police officers do have the power to stop and search and view photographs taken by anyone who they reasonably suspect to be a terrorist under Section 43 of the Terrorism Act. Do not publish anything where the information contained could be regarded as being designed to provide practical assistance to a person committing or preparing an act of terrorism (Terrorism Act 2000); this could include taking photos of police officers, intelligence services, and members of HM Forces or certain incidents. Use sound judgement and do not put yourself into difficult situations.

3.4 Even though UK laws regarding public photography are reasonably relaxed e.g. if you are on public property, you can take photos of anything or anyone of any age without their consent, **within reason** of course (e.g. the photograph isn't indecent, and you aren't harassing the person you're trying to photograph), please note that laws abroad may be more stringent.

### **4. Children, young people and vulnerable adults**

4.1 At all times the Society aims to create a safe environment in which children, young people and vulnerable adults are listened to and everyone is encouraged to participate



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within the environment of Society meetings and activities; members are requested to support this endeavour.

4.2 It is generally best to get the permission of the parent/legal guardian to photograph people in this group. Be prepared for the possible reaction of parents, guardians, their friends and indeed the young subjects themselves if taking a photograph without permission. Also be prepared to share or delete any photos taken if requested. In some cases, you may be required to complete a permission form.

4.3 There are situations where you may choose not to seek permission, for example, taking a candid shot in a street scene or a photograph of older children who are clearly happy to have their photograph taken. Also some institutions and clubs allow photography because parents have already signed agreements for their children to be photographed and their photos used in that context. In such circumstances specific permission is not usually required however it is usually a good idea to double check.

4.4 Whilst there is no law against photographing children, knowing that this area can be a “minefield”, members are advised to exercise caution when photographing young subjects. Ensure your photography is legal and decent.

4.5 Consider carefully how you use photographs of people in this group and that you have permission, where this is legally or in your judgement required, for their sharing on the internet/social media or other publication. This includes their inclusion in photo galleries on the Society web-site, where the Society takes it on good faith that the photographer has obtained any necessary permissions or that the photographer will otherwise request the Society’s web-master not to publish. Do not assume that people of a certain generation are happy to have their photos published on, say, social media, the internet or other publications by you as the photographer just because the child or their parents may partake in such activity themselves. Actual and perceived consent are not the same thing.

### **5. Health & Safety**

H&S is everyone’s responsibility; always follow safety instructions; outside look after your own safety and promote safe conduct to others – act sensibly in all locations. When photographing animals keep in mind that they can be unpredictable and maintain awareness of any possible imminent risks/hazards in the environment around you, including the weather.



### **6. Data Protection**

Please refer to the Society's Data Protection Privacy Notice

([http://www.lymmphotosoc.org.uk/Data\\_Protection.html](http://www.lymmphotosoc.org.uk/Data_Protection.html)) and see also section 7.6

Whilst photographing in public places and exhibiting photographs are permitted under UK data protection legislation<sup>2</sup>, please be sensitive to directly expressed objections from individuals to be photographed, including in a public place. Be mindful of situations where a person may have an expectation of privacy even in a public place. It is often sensible to avoid taking photographs of identifiable people on private property from a public place.

### **7. Ethics**

7.1 Be mindful of the fact that any photograph/image is secondary to respect for the subject matter.

7.2 Please note that it is unacceptable to the Society for anyone to discriminate on the grounds of age, gender, race, ethnicity, sexual orientation, disability, creed, religion or political affiliation.

7.3 Please behave ethically at all times e.g. do not take intrusive photographs (such as of private moments such as funerals without permission) or mis-attribute or mis-caption your images to be misleading (for example by claiming that a photograph taken in a zoo was taken in the wild).

7.4 Photographs of individuals should illustrate the dignity of persons and have been taken and presented with regards to their privacy, reputation and personal integrity. In some situations, members may have to apply some judgement as to getting the balance right between, for example, the dignity of an individual and elements of humour.

7.5 Permission to photograph : even though there is no legal requirement to obtain a subject's permission or use a model release form where the person is the subject of the image, members are encouraged to consider asking for consent to take a person's photograph where they are the main subject, especially for what could be considered a portrait shot.

In some circumstances (such as in street or events photography) a judgement call about asking for permission prior to taking a shot may be required when doing so may destroy the moment the photographer is capturing, where a particular moment, which has caught their attention, could be lost or where it is not necessarily about the person who has been photographed, but the scene involving that person. You may also not wish to obtain prior-permission if this would impact capturing a person acting naturally. If permission hasn't been sought prior to a photograph being taken, this doesn't preclude asking permission afterwards, especially in instances of street portraits - always apply sensible judgement.



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If someone objects to their photograph being taken, it can be best not to take it. Whilst no one (not even the police) has the legal right to ask you to delete an image, sometimes it can be better and easier just to concede and delete an image if asked.

*See also the guidance in the section “Children, young people and vulnerable adults”*

7.6 Permission to publish : where a person is the main subject of an image, members are advised, whenever possible, to request their permission for the publication of such images on social media/the internet/other media or for use outside the context of amateur photographic activity.

The use of photographs (including of people) for the purpose of Society publicity and archive (including on the Society web-site) is covered under the Society’s Privacy Notice. Members are requested however to continue the established custom and practice of making it known if they do not want an image of themselves, or that they have taken, used by the Society. It is also the Society’s practice to, wherever possible, advise if a photograph to be taken is intended to be used for publicity/archive should they wish to remove themselves from the frame.

*See also the guidance in the section “Children, young people and vulnerable adults”*

7.7 When submitting an image for use at or by the Society (especially for use during meetings), please be mindful of our community-based audience and consider its sensibilities; only use images with which you feel our members will be comfortable. This is particularly true of photographic subjects showing nudity (semi or full), violence or its aftermath, accidents and injuries and other photographs that the audience may find disturbing or unacceptable. If you are unsure about the suitability of an image you are encouraged to show it to a member of the Society’s Committee beforehand. The Committee reserves the right to ask for a photograph that is shown which could be considered unacceptable or in poor taste to be taken down.

### **8. Copyright**

Do not claim sole ownership or creative endeavour when using or significantly incorporating another’s work into your photographs without making the other’s contribution clear; images of art works must make the context clear. Avoid plagiarism.

Copying someone else’s photograph, no matter what the source, and passing it off as your own (or incorporating it as your own work, unacknowledged) is a serious matter and can have legal and financial consequences, not only for the author but also the Society. **DO NOT DO IT! Image services are very active in finding websites that infringe on the copyright of their images, so please, it's better to be safe than sorry!** Please read the “2024 Cautionary Tale from Daveyhulme Camera Club”, appended to this Best Practice Guide, which outlines their salutary experience in this matter.



A member may not locally record any Society video call; any such recordings are made only officially by the Society's officers and with the express consent of any speaker (who retains copyright of their own material).

Note – as a default the Society adds members' project and competition photographs to its web gallery but the photographer retains the copyright and must advise the webmaster should there be a particular photograph that they would prefer not to be included in the web gallery (xref 7.6). Copyright notices in the Society's material (including the website) relate to the text, layout etc and does not extend to the Society claiming copyright of members' images. See the next section with respect to using others' images obtained via the use of generative /AI tools

### 9. **Use of Artificial Intelligence (AI) and Generative content**

One of the Society's purposes is to encourage members to develop their own in-camera photographic skills, which means achieving as much as possible through the photographs actually taken. We therefore discourage the use of adding AI generated content to an original image taken by a member, and certainly without acknowledging its use.

9.1 As a rule of thumb, for our few competitions :

- generative content may not be used (with the exceptions listing in 9.3)

9.2 Projects

- the competition rule outlined above also applies to project images, although for some creative projects, it may be appropriate to incorporate AI generated material as long as this is acknowledged in the presentation and/or name of the image.

9.3 What is allowed :

- AI processing such as noise reduction, sharpening, HDR, the removal of minor distractions, focus stacking etc may be used as long as it is applied to the photographer's original image
- content aware tools which draw on what is already in the image are permissible and a small piece of generative expand/similar which also draws on the content already in the original image (as opposed to fetching new content from a stock image) is also acceptable, where presented as an invisible enhancement.

Overall, we are interested in seeing the members' originality, not that of others via stock /other images incorporated via generative tools. Therefore, the predominant image content must always be directly derived from an original photographic image which is entirely the work of the member.



### **10. Environmental Practices**

The Society is always looking for ways to improve its positive contribution to environmental care. Whilst the growth of digital photography has negated the need for film as a resource, there is always more we can do. Members are encouraged to attempt to pass on used equipment to others (such by trade-in, sale or free donation (such as to the Third World or to colleges where students are learning the fundamentals of photography)). Where this is not possible we ask members to dispose of old equipment (including batteries) responsibly, recycling where ever possible.

Photographic magazines can increasingly be read electronically (so saving paper, ink and delivery resources); where paper version of magazines are read, please pass these on to others rather than recycling immediately. Society-related documents are generally distributed electronically with minimum need to print these; if printed please print double-sided and in draft black and white. Whilst hard copy images cannot be avoided for physical exhibitions, it is the Society's policy to offer the printed images back to members for onward use, only recycling these as a last resort.

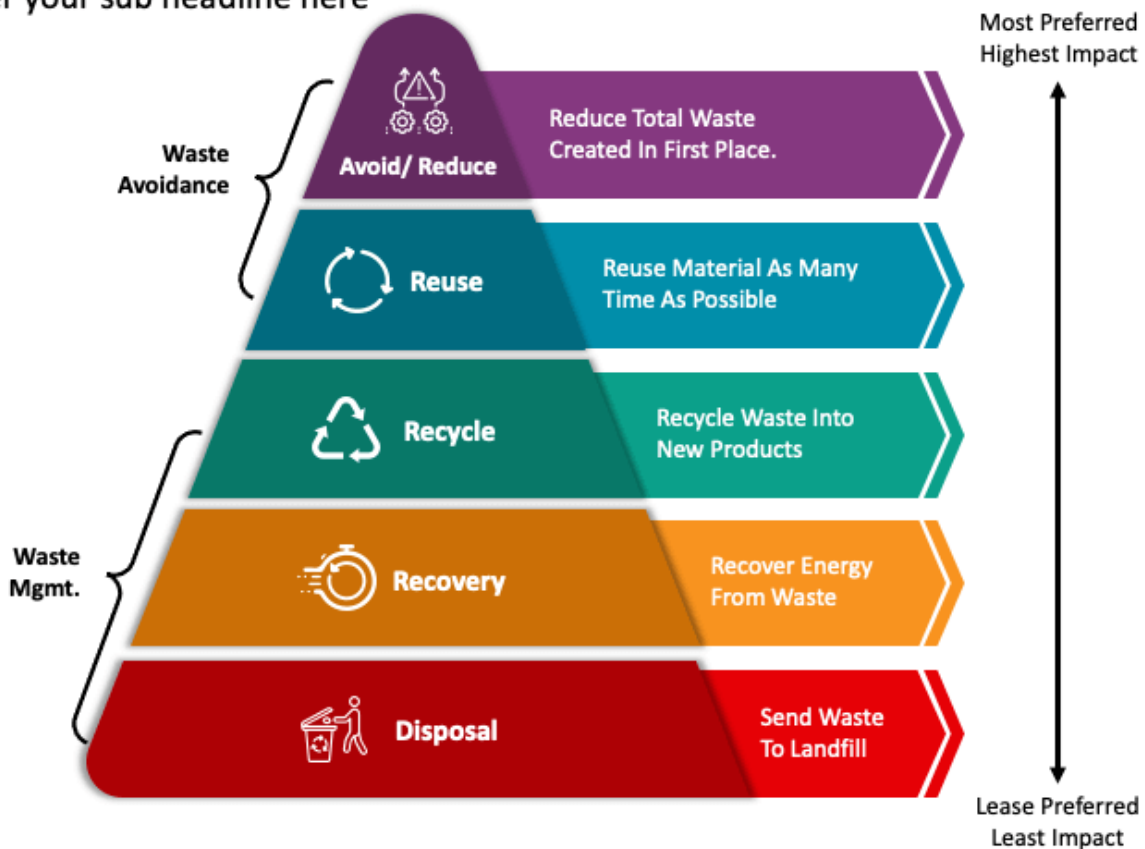
When it comes to attending meetings, outings and so on, where it is not possible to walk to the venue, consider life sharing or using public transport where this is realistically possible.

Members' attention is drawn to the standard Waste Hierarchy which is used as guidance for all types of organisations. Start from the top of the pyramid ("do I really need this/to do this in the first place?") and work your way down (e.g. "can this lens be used by someone re-else?") and so on. The Society Committee is committed to observing the Waste Hierarchy, for example, when replacing club equipment and the contents of the Society's store cupboard.

*See the Waste Hierarchy diagram below*

## WASTE HIERARCHY

Enter your sub headline here



A major supplier to the Society is the Spread Eagle pub (J.W. Lees Brewery) as this provides our meeting facilities and refreshments. The Society has received the brewery's Sustainability and Net Zero positioning Statement (as at December 2023) which follows as an Appendix.

### **11. Lawfulness**

Please adhere to all laws and regulations applicable to the jurisdiction where you are photographing and comply with regulations, signs or notices presented by relevant authorities. Obtain any permits or permissions necessary. Do not do anything that will bring the reputation of the Society into question or disrepute, including making libellous or defamatory posts on social media associated directly or indirectly with the Society.

### **12. Competition and Critique Etiquette**

12.1 All Competitions and Critiques are run in a friendly, supportive, and non-hostile environment

12.2 Members agree to show respect toward fellow competitors and club members, judges, and the competition organisers at all times

12.3 Public disagreement or criticism which may cause upset to individuals or damage the reputation of LPS, is not acceptable,





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12.4 Support and respect should be given to those individuals whilst carrying out their competition duties on behalf of the club. In the event of any issues and disagreements arising in respect of either internal or external competitions, the ultimate decision and final say rests with the Competition Secretary.

### **13. Integrity**

Last but by no means least, we ask that all members.....

- consider how we behave when using and presenting photographic content;
- respect the feelings and beliefs of others;
- be kind, respectful, courteous, fair, open-minded and supportive to fellow members, guests and others with whom you interact (verbally, in writing or in any other way) and act sensitively
- consider how any verbal or written communication may be interpreted by the recipient
- do not bully or harass in any form, as this is not tolerated
- respect and support the empowerment of those who have volunteered to support the running of the Society for everyone's benefit
- help the Society to perform all of its activities in a pleasant, harmonious and relaxed environment in which everybody can be themselves and can aim to realise their photography goals.

The above are essential for ensuring for the sound running of our Society and making it a fun, safe and respectful organisation to belong to.

### **14. Conclusions**

Everything in this document is guidance. Every choice we make as photographers can make an impact; it's about considering carefully what might result from our decisions (intended or unintended).

As a club we always look to achieving positive and beneficial outcomes for the Society as a whole. Ultimately, the Society's committee will take a dim view of any flagrant disregard of the basic principles outlined above, to the extent that if either (internally or externally) the Society is brought into disrepute, continued membership of the Society may be jeopardised.

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### **Endnotes**

<sup>1</sup> *The Royal Photographic Society's Nature Photographers' Code of Practice contains further useful information*

<sup>2</sup> *The taking, processing and storing of images are excluded from data protection by the personal and domestic exemption; the exhibiting (publishing) of images is covered by the*



*rights of artistic purpose and freedom of expression – see PAGB document “Data Protection – Images of People”*

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### 15. Appendix – Plagiarism A Cautionary Tale

This is an extract from the L&CPU’s monthly Focal Points newsletter July 20204. The article was written by Andy Grady on behalf of Davyhulme CC

*“Do photography clubs and societies pay adequate attention to vetting the images submitted in to their competitions?”*

*Here’s an account of our recent experience that may give some clubs food for thought.*

*Like almost all other camera clubs in the L&CPU, Davyhulme Camera Club holds its own internal competitions throughout the year. Whilst it is in the club rules that any images submitted by members have to be their own work, in our club certainly, it is taken on trust that that is the case.*

*Can we be sure though? Evidently the answer to this is no!*

*We recently discovered that one of our members had been trawling the internet, downloading images and fraudulently submitting them in to our competitions as their own.*

*Aside from the betrayal of not only the trust that the club affords its members but also the trust of the whole photographic community, this obviously breaks copyright law, is illegal and leaves the fraudulent ‘author’ wide open to a copyright infringement claim.*

*What some may not realise however is that their actions could also have serious repercussions for the club too, particularly if, like us, you put your competition winning images on the club website. In such a situation, the club, albeit unknowingly, is also infringing copyright and consequently exposing itself to a legitimate claim.*

*When our member’s fraudulent activity came to light we did two things. Firstly, we had to apologise to the organisers of a local multi-club battle and very rapidly change some of our entries in to it, and secondly, we had the forethought to try and remove all images submitted by said member from our website.*

*Unfortunately, we missed one hidden away in a blog post... but, and here’s the warning, Alamy didn’t!*

*Apparently, they routinely sweep the internet looking for instances of images belonging to their contributors and, when they find one, they check to see whether its use is appropriately licensed. Obviously, as we had no idea that the image had been stolen, we had no license and Alamy therefore, quite legitimately, opened a copyright infringement case against us - a case which could have cost the club £500.*

*Fortunately for us, after removing the image, explaining the situation to Alamy and, we think crucially, reaching out to the rightful author of the image, offering a sincere apology and explaining the situation to her as well, both parties agreed to drop the case against the club.*

*Thankfully they recognised that the club was almost as much a victim of the fraudulent activity as they’d been. With her knowledge and permission, Davyhulme Camera Club would therefore like to take this opportunity to say a public thank you to Tracey Whitefoot (<https://www.whitefootphotography.com/>), the actual author of the image in question, for her understanding and sympathy towards the club.*



*Additionally, we should also say congratulations for unknowingly winning our 2023 Landscape competition!*

*Alamy too should be commended for their part in discovering the unauthorised use of the image, advocating for their contributor, bringing the case in the first place and coping with the triangular communication between themselves, the author and ourselves. It was all dealt with very professionally and did offer some reassurance that, as a stock image company, they do actually represent their contributors effectively.*

*So where does this leave the club going forward?*

*First off, it goes without saying that the member is now an ex-member. Secondly, in order to try and prevent a similar situation happening in the future, the competitions secretary will now have a much more onerous job.*

*All images submitted in to club competitions, bar those recognised to have been taken at club events, will be subjected to a reverse image search on Google and if there is any doubt as to the authorship of an image it will be rejected.*

*This will be added to the club rules along with another that explicitly states that the club will pursue financial compensation from any member that causes the club to lose money due to fraudulent activity.*

*Obviously, this has not been a pleasant occurrence for the club to go through*

*but we hope that by sharing our experience we may prompt other clubs and societies to think about whether or not they need to introduce new processes, or review existing ones already in place, to prevent inadvertent copyright infringement if a similar situation were to occur.*

*Andy Grady*

*on behalf of Davyhulme CC*

## **16. Appendix - JW LEES SUSTAINABILITY AND NET ZERO POSITION**

**As at 8<sup>th</sup> December 2023**

### ***Our approach to sustainability***

*JW Lees is a company with a long heritage, and we are committed to building a business which nurtures and develops our people, makes a lasting and positive contribution to the communities we operate in, and respects the environment. As a company, we have invested in sustainable and responsible business practices for a number of years, but we recognised in 2022 that a more structured approach to sustainability was needed going forward. We have adopted a clear governance framework and we are focused on defining our Environmental, Social and Governance (ESG) strategy and identifying our priorities.*

*We have engaged our teams to raise the profile of sustainability and during the period initiatives have been implemented which encourage behavioral change. We continue to work with advisors to evolve the JW Lees ESG policy and strategy. We have recently appointed an MBA placement student on a three-month placement to frame the strategy and integrate the various elements of*



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*sustainability together, helping us gain understanding of the current state of our position in a number of different areas.*

*Brewing and running pubs are energy intensive. However, we are not interested in 'green washing' but are planning to make meaningful steps towards becoming a greener business while acknowledging the challenge of the age of many of our pub and brewery buildings.*

*The beer and pub sector is committed to reducing its environmental impact and is playing a direct role in tackling the impact of climate change. Since the latest iteration of BBPA's Brewing Green paper pubs and brewers have been operating in an extremely challenging environment in terms of both supply chain availability and inflationary input prices. Faced with recovering from the pandemic and an energy crisis which has seen energy prices rise to unprecedented levels. Despite this tumultuous period the sector has continued to recognise the importance of ensuring sustainable practices remain at the core of their businesses. This is evident by UK's brewers' ability to consistently deliver improvements in energy efficiency and reducing carbon emissions.*

### **BBPA Brewing Green Commitments 2023:**

- 1. To continue to improve the sector's energy efficiency and focus on de-carbonisation aims ahead of Government's 2050 ambition.*
- 2. To continue to reduce water usage overall and focus on sustainable water management including the quality of water returned to the environment.*
- 3. To reduce the environmental impact of packaging and work with relevant Governments to ensure the implementation of effective and efficient Deposit Return Schemes and Extended Producer Responsibility regulations.*
- 4. To implement waste reduction strategies and develop best practice for the whole brewing sector in achieving zero product waste to landfill.*
- 5. To ensure that environmental best practice is implemented throughout the value chain and in collaboration with supply chain partners. Identify baseline emissions across Scope 3.*
- 6. To support pubs in improving energy efficiency, increasing recycling rates and reducing food waste.*

*The current JW Lees stated position is as follows:-*

### **Our net zero approach**

*JW Lees is committed to support the UK Government's commitment of achieving net zero by 2050 and has aligned itself with the brewing industry's roadmap which requires that, as a collective, we are aiming to achieve net zero for our Scope 1 and Scope 2 emissions by 2030.*

Customer Services,      JW Lees

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*The Lymm Photographic Society (LPS) is affiliated to the Photographic Alliance of Great Britain (PAGB) through the Lancashire & Cheshire Photographic Union (L&CPU). In its guidance for clubs, the PAGB suggests that club consider having a code of conduct. This guidance document represents LPS's Code of Conduct.*

### Amendment History

Version	Date	Who	Description
V4.0	06/09/24	Carol Sparkes	<b>Expansion of plagiarism guidance and addition of Appendix capturing Daveyhulme CC's experience; addition of new AI/Generative content section</b>
v3.0	22/03/24	Carol Sparkes	Addition of Competition and Critique Etiquette as section 11 and subsequent sections renumbered. Conclusion section added at end.
v2.0	22/12/23	Carol Sparkes	Addition of Contents table and new section for Environmental Practices plus Lees environmental info added as an appendix
v1.0	20/11/23	Carol Sparkes	First formal issue to web-site

First issued by the Lymm Photographic Society

2023