

# Best practice guide to using photos



## Common terms

### Copyright

A legal protection placed on a photo that grants the creator exclusive rights on its rights and distribution. Copyright does not last indefinitely, and may be open to challenge under fair use / fair dealing. Anyone can copyright their work, and there is no register of works unlike trademarks. In the UK copyright lasts for the lifetime of the copyright holder plus 70 years. Learn more at <https://www.gov.uk/copyright>

### Fair use and fair dealing

Fair use is a US legal doctrine that permits limited use of copyrighted material without having to gain permission from the copyright holder. It is based upon the principles of First Amendment from the US Constitution. The UK fair dealing legislation is more limited in scope, and was introduced as part of the Copyright, Designs and Patents Act 1988.

What's typically included in UK fair dealing:

- **Teaching**  
This provides *limited* cover for non-recorded lectures and events, and would not include research promotion on social media or marketing materials.
- **Helping disabled people**  
Adapting existing works with subtitles or making them more accessible.
- **Parody, caricature and pastiche**  
Comedians or cartoonists may reference existing images in a limited context. However they are still subject to the laws of libel and defamation.

<https://www.gov.uk/guidance/exceptions-to-copyright>

### Royalty-free (RF)

You do not need to pay a royalty to the photographer based on the volume of usage. The majority of stock images are licensed in this way as you pay a one-off fee, and are then not required to make subsequent payments. Photographers are reimbursed for their work by the stock image library.

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## Public domain

Photos where no copyright is applied. These can be freely used without the need for credit, or paid royalties. Historic photos frequently become public domain if the copyright lapses.

## Creative Commons

Creative Commons (CC) is a non-profit organisation that facilitates the sharing of creative works that can be freely shared or adapted for commercial and non-commercial work. All Creative Commons works are licensed with specific terms and identified by codes.

## Trademarks

A symbol, words or image that is registered and associated with a business or university. Permission must always be sought to reproduce trademarks, and they must not be edited in any way.

Registered UK trademarks can be searched online at <https://www.gov.uk/search-for-trademark>

## Need to know

Although Google Image Search can be a quick way of finding content it is not recommended as a way of sourcing licensed images, as results do not take into account the copyright status of content.

## Disclaimer

This guide does not constitute legal advice or legal analysis. Organisations may still need to seek independent legal advice when developing their own processes, or when dealing with specific issues.