 <b>Executive - 28 September 2016</b>		<b>Agenda Item No.</b>  <b>3</b>
<b>Title</b>	Warwick District Council Flag Flying Policy	
<b>For further information about this report please contact</b>	David Guilding, Theatre & Town Hall Manager, Tel: 01926 456230 Email: david.guilding@warwickdc.gov.uk	
<b>Wards of the District directly affected</b>		
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A	
<b>Background Papers</b>	None	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality Impact Assessment Undertaken</b>	Yes

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	13.09.2016	Chris Elliott
Head of Service		Rose Winship
CMT	13.09.2016	Chris Elliott, Bill Hunt
Section 151 Officer		
Monitoring Officer	13.09.2016	Andrew Jones
Finance	13.09.2016	Mike Snow
Portfolio Holder(s)		Cllr Coker
<b>Consultation &amp; Community Engagement</b>		
<b>Final Decision?</b>		Yes
<b>Suggested next steps (if not final decision please set out below)</b>		

## 1. **Summary**

- 1.1 The Leader of the Council has requested that a formal flag flying policy be produced in order to replace the current unwritten protocol.
- 1.2 This report presents the draft Warwick District Council Flag Flying Policy which seeks to:
  - Provide context and establish precedents
  - Outline the Council's usual arrangements for the displaying of flags
  - Clarify the protocol and procedure for flying flags
  - Clarify the appropriate procedure should a request for the flying of a specific guest flag or flags be received

## 2. **Recommendation**

- 2.1 That Executive approves the draft Warwick District Council Flag Flying Policy at Appendix 1.

## 3. **Reasons for the Recommendation**

- 3.1 A comprehensive review of flag flying has been undertaken by Officers which has established:
  - Current and past protocols for flying flags at the Town Hall and the practicalities involved in doing so
  - The legal obligations and current responsibilities of the Council with regards to flag flying (including planning regulations)
  - The appropriate guidance from Central Government to be followed
  - What is commonly considered to be best practice through the comparison of a number of flag flying policies from other Local Authorities
  - Which procedures and processes are most appropriate for Warwick District Council, based on its priorities and values
- 3.2 The draft policy reflects the priorities and values of Warwick District Council, clearly establishes the protocol and procedures to be followed when flying flags and clarifies the rationale informing the Council's choices as to which flags should be flown.
- 3.4 The matter of flag flying on local government buildings is not bound by any specific directive. It remains for individual Local Authorities to establish their own flag flying protocols.
- 3.5 Advice is issued by the Department for Culture, Media and Sport (DCMS) on the flying of national flags on government buildings. This is attached as Appendix 2. This advice relates to government buildings only, but many councils follow the advice on a voluntary basis and it is widely considered to be best practice to do so.
- 3.6 The flag flying protocols of the other Local Authorities in England vary in their content, formality and the number of flagpoles available on each Council building. However, a growing number of Local Authorities are formalising their policies and relaxing the traditional stance in order to allow additional flags to be flown.
- 3.7 The protocol and tradition surrounding flags is detailed and complex. The Flag and Heraldry Committee and the Flag Institute produced flag flying guidance in

2010. The guidance covers the protocol which applies to flying flags in a variety of situations and aims to ensure flags in the UK are flown correctly and treated with dignity and respect. This is included as Appendix 3.

- 3.8 In November 2012, the Department for Communities and Local Government published 'Plain English Guide to Flying Flags' which sought to explain the planning restrictions around flags. This is included as Appendix 4.
- 3.9 In March 2013, the House of Commons Library published a briefing note setting out a brief history of the Flags of the United Kingdom and clarifying the guidance issued by the Department of Culture Media and Sport. This is included as Appendix 5.
- 3.10 Previously, the flying of flags at the Town Hall in Royal Leamington Spa has been restricted to national flags displayed on certain days as designated the DCMS (Appendix 2). The Leader of Warwick District Council had the authority to decide which flags could be flown in addition to this, often after consultation with the Chairman of the Council.
- 3.11 Warwick District Council does have additional flag poles installed on its properties (at the entrance to Jephson Gardens, or on its bowling greens in Royal Leamington Spa for instance) but they primarily fly flags relating specifically to that service area. These flags are normally static, are not changed regularly or are the responsibility of external organisations to manage on a day-to-day basis. The draft Policy seeks to make a distinction between the flying of flags from flag poles located in Council parks and properties and those national flags flown at the Town Hall which continues to be perceived by the majority of the public as the District's civic hub. However, the protocol and planning restrictions detailed within the Policy applies to all flags that are the responsibility of the Council.

#### 4. **Policy Framework**

##### 4.1 **Fit for the Future**

The Council has a role as a community leader to promote positive and harmonious relationships between communities. The flags included in the draft Policy are universal symbols of community cohesion, pride and loyalty.

The draft Policy aims to clearly establish the protocol and procedures to be followed when flying flags and the rationale behind the Council's choices as to which flags should be flown in an open and transparent manner. It also seeks to maintain the dignity of national flags and avoid these flags being the subject of political controversy.

##### 4.2 **Impact Assessments**

An Equality Impact Assessment was undertaken and is attached as Appendix 6.

The Council recognises that its flag flying policies can impact upon all residents of the District, visitors to the District and Council staff. The District has a diverse community and the flags flown should be inclusive of all communities.

The Policy has a differential impact on people with different religious beliefs/political opinions because of their differing perceptions of the symbolism of flags.

The Policy would potentially adversely impact upon religious / belief groups as it recommends that a flag incorporating the emblem of any religion, belief or political party, whether it is a party within the UK or abroad, or any flag containing any emblem or device designed to affect support for a religion, belief or political cause, shall not be flown from any Council building or flag staff.

The flying of any flag must also be viewed in the context in which it is flown or displayed. The decision to fly flags should be sensitive to the views of all the District's communities and actively seek to avoid creating unnecessary controversy or conflict.

## **5. Budgetary Framework**

- 5.1 There are no budgetary concerns associated with this report.

## **6. Risks**

- 6.1 The major risk associated with this Policy is that the reputation of Warwick District Council could be damaged. The draft Policy seeks to reduce this risk by including transparent and considered procedures.

## **7. Alternative Option(s) considered**

- 7.1 A 'No Flags' Policy. In some circumstances Local Authorities have restricted the flags they may fly from their properties to the Union Flag only or have ceased the flying of flags altogether. It is believed that this option would have a negative effect upon the District and such extreme action is not deemed to be necessary. While this option may have been considered in some respects to be a 'neutral' option, it was believed to have an adverse impact upon the Council's relationship with the community.
- 7.2 No change to the existing protocol. The Town Hall has had an informal protocol for the flying of flags for a number of years which became established through custom and practice and was based upon guidance from DCMS (Appendix 2). However, it has never been formally adopted in an official policy by the Council. This has led to the potential for misunderstanding and varied interpretation. Such uncertainty should be avoided in the future if possible and it is believed that a formal policy would add necessary clarity and guidance.
- 7.3 Further flag poles erected in alternative locations. If the flying of flags at the Town Hall was restricted to national flags only, additional flag poles could be installed in other areas of the District in order to display alternative flags. However, there were practical and budgetary connotations which were thought to make this undesirable.

## **8. Background**

- 8.1 There is great meaning and significance attributed to flags by the British public. They are emotive symbols which can boost local and national identities and strengthen community cohesion. They are ways for communities to express feelings of joy, pride and loyalty.
- 8.2 Like all symbols, flags are open to wide-ranging interpretation and therefore also have the potential to cause controversy and create tension between community groups whose opinions may differ. The flying of any flag must be viewed in the context in which it is flown or displayed.

- 8.3 In recent years there have been numerous examples of controversy having been caused by the decision of Local Authorities to either fly a certain flag or their refusal to fly flags.
- In Northern Ireland the flying of the Union Flag has long been the subject of controversy and in 2012 Belfast City Council voted to limit the days that the Union Flag could fly from the City Hall, resulting in street protests across Northern Ireland.
  - In 2013 Rugby Borough Council refused to fly the English national flag for 365 days of the year. In the same year Radstock Town Council also voted not to fly the English national flag in case it could cause offence to some of their communities, deciding to fly the Union Flag in its place.
  - In 2014 Glasgow City Council was widely criticised for flying the Palestinian national flag from the City Chambers in support of those affected by the Gaza conflict. West Dunbartonshire Council, Fife Council, Tower Hamlets, Bradford, Newcastle City Council and Preston Council were also publically criticised for doing the same.
  - Preston Council was criticised again in 2015 for refusing to fly the Irish national flag to mark the anniversary of the Easter Rising.
  - In 2015 Sudbury Town Council was criticised by residents for flying the German national flag from the town hall in order to welcome visitors from their twinned town.
  - In June 2016 Plymouth City Council were criticised for refusing to fly the Rainbow Flag, a symbol of the lesbian, gay, bisexual and transgender (LGBT) community, at half-mast in support of the shootings in Orlando, America. Cambridgeshire County Council was also criticised publically in 2014 for failing to fly the Rainbow Flag from its headquarters during LGBT history month.
  - During the lead up to the recent EU Referendum some councils were questioned as to why they had chosen to display the flag of the European Union at a time that was not their usual practice.
- 8.4 The flying of flags is not the subject of statute law in England, Wales or Scotland. The Government liberalised the regulations surrounding the flying of flags in England in October 2012.
- 8.5 Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, for planning permissions, flags are normally treated as a form of advertising. Therefore, some flags require formal consent from the local planning authorities, whereas others do not.
- 8.6 A review of Warwick District Council's flag flying protocol and the introduction of a formal flag flying policy was prompted by a recent application by Warwickshire Pride to fly the Rainbow Flag from the Town Hall on the day of the Warwickshire Pride festival on 20<sup>th</sup> August in the Royal Pump Room Gardens, Royal Leamington Spa.
- 8.7 The Rainbow Flag is an international symbol of the lesbian, gay, bisexual and transgender social movement. It is commonly flown by Local Authorities around Britain during local Pride celebrations in order to demonstrate their commitment to equality and the inclusion of all citizens. Some councils have included the Rainbow Flag in their flag flying policies as it is also widely accepted as an international, universal symbol of freedom rather than the emblem a 'political' group (political and faith groups being excluded from the majority of Council flag flying policies).

## **Warwick District Council Flag Flying Policy**

- 1.1. Warwick District Council recognises the meaning and significance attributed to flags. They are emotive symbols which can boost local and national identities and strengthen community cohesion. They are ways for communities to express feelings of joy, pride and loyalty.
- 1.2. Like all symbols, flags are open to wide-ranging interpretation and therefore also have the potential to cause controversy and create tension between community groups whose opinions may differ. The flying of any flag must be viewed in the context in which it is flown or displayed. Factors affecting the context include the manner, location and frequency with which flags are flown. The Council has a responsibility to carefully consider the potential impact upon its communities of flying flags from its properties and how that action may be interpreted.
- 1.3. This Policy reflects guidance from Central Government and is intended to provide a modern approach, reflecting today's society. It also seeks to maintain the dignity of national flags and avoid these flags being the subject of political controversy by:
  - Providing context and established precedents
  - Outlining the Council's usual arrangements for the displaying of flags
  - Clarifying the protocol and procedure for flying flags
  - Clarifying the appropriate procedure should a request for the flying of a specific guest flag or flags be received

## **2. CONTEXT**

- 2.1 The flying of flags is not the subject of statute law in England, Wales or Scotland. The Government liberalised the regulations surrounding the flying of flags in England in October 2012.
- 2.2 Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, for planning permissions, flags are normally treated as a form of advertising. Therefore, some flags require formal consent from the local planning authority before they may be displayed.
- 2.3 All flags, regardless of category, must be maintained in a condition which does not impair the overall visual appearance of the site, be kept in a safe condition, have the permission of the site owner on which they are displayed and should not obscure or hinder the interpretation of road, rail, waterway or aircraft signs.
- 2.4 There are categories of flags which do not require consent from the local planning authority (although the flagpole from which they are flown may). These are:
  - the national flags of any country
  - the flags of the Commonwealth, the European Union and the United Nations
  - the flag of any island, county, district, borough, parish, city, town or village

- the flag of the Black Country, East Anglia, Wessex; any part of Lincolnshire, any Riding of Yorkshire; any historic county
- the flag of St David and St Patrick
- the flag of any administrative area within any country outside of the UK
- the flags of Her Majesty's forces
- the Armed Forces Day Flag

The Council has the freedom to fly flags of this category on any day of the year.

2.5 There are a number of categories of flag that may be flown without consent but which are subject to certain planning restrictions regarding the size of the flag, the size of characters on the flag, and the number and location of the flags. This applies to flagpoles located on a building or within the grounds of a building. These include:

- 'house flags' that display the name, emblem, device or trademark of the company (or person) occupying the building from which they are flown (or this may refer to a specific event of limited duration that is taking place in the building from which the flag is flown)
- any sports club
- the horizontal striped rainbow flag, such as the "Pride" Flag – this flag is an international symbol of the lesbian, gay, bisexual and transgender social movement. It is commonly flown by Local Authorities around Britain during local Pride celebrations in order to demonstrate their commitment to equality and the inclusion of all citizens, as it is widely interpreted as a universal symbol of freedom rather than the emblem a 'political' group.
- specified award schemes (such as 'Investors In People' and 'Green Flag').

2.6 The matter of flag flying on local government buildings is not bound by any specific directive. It remains for individual Local Authorities to establish their own flag flying protocols.

2.7 The flag flying policies of other Local Authorities in the UK vary widely in their content, formality and the number of flagpoles available on each council building.

2.8 Advice is issued by the Department for Culture, Media and Sport (DCMS) on the flying of national flags on government buildings. This advice relates to government buildings only, but many councils follow the advice on a voluntary basis and it is widely considered to be best practice to do so.

2.9 The Flag and Heraldry Committee and the Flag Institute produced flag flying guidance in 2010. The guidance covers the protocol which applies to flying flags in a variety of situations and aims to ensure flags in the UK are flown correctly and treated with dignity and respect.

### **3. USUAL ARRANGEMENTS FOR THE DISPLAYING OF FLAGS**

3.1 This Policy seeks to formalise the protocol for the flying of flags from the Town Hall in Royal Leamington Spa. Previously, the flying of flags at the Town Hall has been restricted to national flags displayed on certain days as designated the

DCMS. The Leader of Warwick District Council had the authority to decide which flags could be flown in addition to this, often after consultation with the Chairman of the Council.

- 3.2 Warwick District Council does have additional flag staffs on its properties (at the entrance to Jephson Gardens, or on its bowling greens for instance) but they primarily fly flags relating specifically that area (i.e. Green Flag). These flags are normally static, are not changed regularly or are the responsibility of separate, external organisations to manage on a day-to-day basis. This policy seeks to make a distinction between the flying of flags from flag poles located in Council parks and properties and those national flags flown at the Town Hall building which is widely perceived as the District's civic hub.
- 3.3 The protocol and planning restrictions detailed within this Policy apply to all flags displayed on Warwick District Council properties that are its responsibility and under its direct control.
- 3.4 Warwick District Council may fly national flags from the fixed flag poles located on the balcony at the front of the Town Hall, in Royal Leamington Spa. A maximum of three flags may be flown at this location any one time.
- 3.5 A flag incorporating the emblem of any religious group or political party, whether it is a party within the UK or abroad, or any flag containing any emblem or device designed to affect support for a religious group or political cause, shall not be flown from any Council building or flagstaff.
- 3.6 National flags shall be flown at the Town Hall in accordance with the designated days provided by the Department of Culture Media and Sport (DCMS) and with due respect to the protocol detailed by the Flag Institute.
- 3.7 National flags shall not normally be flown on days other than those designated by the DCMS. By this the Council seeks to avoid diminishing the significance of flag flying and to maximise opportunities to raise awareness of these occasions in the public consciousness.
- 3.8 National flags should be displayed with respect and in a dignified manner, as befitting national emblems and should not be displayed in a position inferior to any other flag or ensign. Flags must be flown from designated flagpoles and it is considered improper for national flags to be used in any other manner.
- 3.9 Except with special approval, the only flags that may be flown from the Town Hall are:
- The Union Flag
  - The Commonwealth Flag
  - The European Union Flag
  - The Cross of St George Flag
  - The Armed Forces Day Flag
  - The Rainbow Flag
  - Warwick District Council Flag



- The flags of other nations with which Royal Leamington Spa is officially twinned or is subject to Friendship arrangements

#### **4. THE PROTOCOL & PROCEDURE FOR FLYING FLAGS**

4.1 On designated days national flags shall be flown all day at the Town Hall, typically within normal office hours, between 9am to 5pm, but whenever possible they will be flown from sunrise to sunset. If flown overnight flags should be illuminated throughout the whole night until sunrise.

4.2 When more than one flag is flown at a time the British national flag must be in a superior position. To clarify:

- If more than one flag is flown the Union Flag should be flown from the far left flagpole, as the observer faces the Town Hall. The other flags should then be flown in order of precedence from left to right. (the Order of Precedence is included as Appendix A)
- If the Union Flag is flown singly it should always be flown on the middle flagpole of the three
- If other flags are flown they must be of the same size
- When multiple flags are flown the British national flag shall be raised first and lowered last

4.3 International protocol prohibits the flying of any nation's flag higher than another.

4.4 Flags shall not be flown during severe weather conditions or planned maintenance.

4.5 Flags should not be flown in a worn, damaged or soiled condition as that could imply disrespect to the nations that they represent.

4.6 The flags that will normally be displayed at the Town Hall are:

##### **4.7 The Union Flag**



4.7.1 The Union Flag is the national flag of the United Kingdom, the Crown Dependencies and Overseas Territories.

4.7.2 Warwick District Council shall fly the Union Flag from the Town Hall to mark the following occasions (in accordance with guidance from the DCMS):

- 9 January Birthday of the Duchess of Cambridge
- 20 January Birthday of the Countess of Wessex
- 27 January Holocaust Day
- 6 February Her Majesty's Accession
- 19 February Birthday of the Duke of York
- 10 March Birthday of the Earl of Wessex
- March Commonwealth Day (second Monday in March)

- h) 21 April Birthday of Her Majesty the Queen
- i) 23 April St George's Day
- j) 9 May Europe Day
- k) 2 June Coronation Day
- l) 10 June Birthday of the Duke of Edinburgh
- m) 11 June Official celebration of Her Majesty's birthday
- n) 21 June Birthday of the Duke of Cambridge
- o) June Armed Forces Day
- p) 17 July Birthday of the Duchess of Cornwall
- q) 15 August Birthday of the Princess Royal
- r) November Remembrance Day (second Sunday in November)
- s) 14 November Birthday of the Prince of Wales
- t) 20 November Her Majesty's Wedding Day

This list may be subject to change by the DCMS and the Council shall routinely adopt those changes as soon as it is made aware.

- 4.7.3 The Union Flag shall be flown the correct way up, as illustrated below. In the half of the flag nearest the flagpole, the wider diagonal white stripe must be above the red diagonal stripe.



- 4.7.4 The Union Flag shall normally be flown at half-mast at the Town Hall to mark the following occasions:

- a) On the death/ funeral of the Sovereign
- b) On the death/ funeral of another member of the Royal Family
- c) On the death/ funeral the Prime Minister (or ex-Prime Minister)
- d) On the death/ funeral of a serving member of the Armed Forces from the District
- e) On Holocaust Day on 27 January
- f) The death/ funeral of any other dignitary as advised by the Department of Culture, Media and Sport
- g) At the discretion of the Chairman of the Council or after guidance from the Department of Culture, Media and Sport the Union Flag may also be flown at half-mast at times of national mourning due to an major incident where British lives are lost (for instance, a terrorist attack or a major incident on British soil or abroad)
- h) At the discretion of the Chairman of the Council or after guidance from the Department of Culture, Media and Sport the Union Flag may be flown at half-mast in order to show respect and support to other nations who are in periods of national mourning.

- 4.7.5 When flying the Union Flag at half-mast it will be flown two-thirds of the way up the flagpole with at least the height of the flag between the top of the flag and the top of the flagpole.
- 4.7.6 When a flag is to be flown at half-mast, it should first be raised all the way to the top of the mast, allowed to remain there for a second and then be lowered. When it is being lowered from half-mast, it should again be raised to the top of the mast for a second before being fully lowered.
- 4.7.7 When the Union Flag is at half-mast, other flags will also be at half-mast or should not be flown at all. Flags of foreign nations will not be flown, unless their country is also observing mourning.
- 4.7.8 When the Union flag is flown on designated days which coincide with days for flying at half-mast the Union flag will be flown at full mast all day although a member of the Royal Family, or a near relative of the Royal Family, may be lying dead, unless special commands are issued by HM the Queen to the contrary.

#### **4.8 The Commonwealth Flag**



- 4.8.1 The Commonwealth Flag shall be flown at the Town Hall on the second Monday of March each year in support of Commonwealth Day alongside the Union Flag.

#### **4.9 The European Flag**



- 4.9.1 The European Flag shall be flown at the Town Hall on European Union Day on 9<sup>th</sup> May alongside the Union Flag.

#### **4.10 The Cross of St George Flag**



4.10.1 The English National Flag shall be flown at the Town Hall on St George's Day on 23rd April alongside the Union Flag.

4.10.2 The English National Flag, the St George's Cross, may be flown in addition to the Union Flag at any time at the discretion of the Chairman of the Council, but not in place of the Union Flag or in a superior position.

#### 4.11 The Armed Forces Day Flag



4.11.1 The Armed Forces Day Flag shall be flown at the Town Hall on Armed Forces Day in June alongside the Union Flag.

#### 4.12 The Rainbow Flag (also commonly known as "LGBT" / "Gay Pride" Flag)



4.12.1 The Rainbow Flag shall be flown at the Town Hall on the day of the Warwickshire Pride festival and on the International Day against Homophobia, Transphobia and Biphobia on 17<sup>th</sup> May.

#### 4.12 The Warwick District Council Flag



4.12.1 The Warwick District Council flag shall be flown at the Town Hall alongside the Union Flag to mark the following occasions:

- a) Chairman Making and Annual Meeting Of Council
- b) Freedom of the District parades

4.12.2 The Warwick District Council flag shall be flown at the Town Hall at half-mast on the death / funeral of:

- a) a serving or former Local Member of Parliament
- b) a serving or former Warwick District Council Councillor
- c) a serving Warwick District Council Employee

#### **4.13 The Flags of Other Nations**

4.13.1 Royal Leamington Spa is twinned with, Heemstede in The Netherlands, Sceaux in France and Bruhl in Germany. In addition, formal Friendship Agreements have been signed between the Town and Bo (Sierra Leone) and Leamington (Canada). . The national flags of those towns shall be flown at the Town Hall alongside the Union Flag during official twinning and friendship exchange visits to the District.

4.13.2 At the discretion of the Chairman of the Council or after guidance from Department of Culture, Media and Sport the flags of these countries may be flown at half-mast at the Town hall alongside the Union Flag when those countries are in national mourning due to a major incident in order to demonstrate the District's support and respect.

4.13.3 The Council shall only fly the flags of the following nations from Royal Leamington Spa Town Hall.

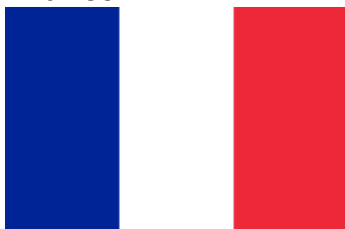
##### **Sierra Leone**



##### **Netherlands**



##### **France**



**Germany**



**Canada**



## **5. REQUESTING GUEST FLAGS**

5.1 Flags not included in this Policy, including those of other nations, shall not be flown from the flag staffs at the Town Hall without first gaining approval from the Chairman of the Council.

5.2 The Chairman of the Council is elected annually and is one of the Council's 46 Councillors. The Chairman is the first citizen of the District and is senior to all the Town Mayors. It is the Chairman's responsibility to represent the Council in its entirety and to be politically neutral.

5.3 Applications for the flying of guest flags at the Town Hall should be made in the first instance to the Chairman of the Council for consideration on behalf of the Council.

5.4 The Chairman of the Council has discretion to authorise the flying of flags from the Town Hall as appropriate (for example when national sports teams play) and will consider any request to fly a flag which is not listed in the Policy. The Chairman is under no obligation to grant applications to fly guest flags and their decision is final.

5.5 The Chairman of the Council shall reasonably consider any request for the flying of a guest flag that does not contradict the principles of this Policy. The decision making process should take into account the following:

5.5.1 The decision of the Council to fly guest flags at the Town Hall should be made in the spirit of displaying universal allegiance, support or respect or to celebrate a significant international, national or local occasion.

5.5.2 It should be considered whether it is appropriate for a Local Authority to display such support on behalf of its communities. The decision should ultimately reflect the values of Warwick District Council.

5.5.3 The flying of any flag must be viewed in the context in which it is flown or displayed. Factors affecting the context include the manner, location and frequency with which flags are to be flown. The decision should be sensitive to

the views of all the District's communities and actively seek to avoid creating unnecessary controversy or conflict.

5.5.4 The Council shall not allow the use of flags for political purposes or for the purposes of advertising.

5.5.5 The category of the guest flag should be established and whether planning consent is necessary. Any flag not identified in the Policy may require consent from the local planning authority before it can be flown.

5.5.6 It should be established whether the proposed date for the guest flag to be flown would conflict with that of other flags and if there is the capacity to fly an additional flag at that time.

5.5.7 The decision should always seek to maintain the dignity of the national flags and the Equality responsibilities of Warwick District Council.

5.5.8 It should be established whether it is practical for the Council to fly the guest flag from the Town Hall or if an alternative location would be better suited. (Examples of practical considerations include whether a suitable flag can be supplied to the Council and whether the Town Hall is open on the day the flag is to be flown / staffed during the hours it must be raised / lowered).

## **6. REVIEW OF THE POLICY**

6.1 The Council will review this policy periodically and/or in respect of any future revisions to Government guidance.

## **APPENDIX A: Order of Precedence:**

The Royal Standards

The Union Flag

The national flag of England, Scotland, Wales, a Crown Dependency or a British Overseas Territory (within those countries, dependencies or territories)

The White Ensign of the Royal Navy

The Ensign of the Royal Air Force

The Blue and Red Ensigns

The Civil Air Ensign

The national flags of England, Scotland, Wales, the Crown Dependencies and the British Overseas Territories (when displayed elsewhere)

The national flags of other nations (in English alphabetical order as shown below)

The United Nations Flag

The Commonwealth Flag

The European Union Flag

The British Army Flag (Non-Ceremonial)

Flags of counties and metropolitan cities

Flags of other cities and towns

Banners of Arms (both personal and corporate)

House flags





## Defence and armed forces

(<https://www.gov.uk/topic/defence-armed-forces>) – guidance

# Designated days for Union Flag flying

**From:** Department for Culture, Media & Sport  
(<https://www.gov.uk/government/organisations/department-for-culture-media-sport>)

**First published:** 27 February 2013

**Part of:** Military awards and commemorations (<https://www.gov.uk/topic/defence-armed-forces/military-awards-commemorations>)

Dates for flying the Union Flag on UK government buildings in 2016

## Dates for flying the Union Flag on UK government buildings in 2016

- 9 January Birthday of the Duchess of Cambridge
- 20 January Birthday of the Countess of Wessex
- 6 February Her Majesty's Accession
- 19 February Birthday of the Duke of York
- 1 March St David's Day (in Wales only, see note 1)
- 10 March Birthday of the Earl of Wessex
- 14 March Commonwealth Day (second Monday in March)
- 17 March St. Patrick's Day (in Northern Ireland only, see note 5)
- 21 April Birthday of Her Majesty the Queen
- 23 April St George's Day (in England only, see note 1)
- 9 May Europe Day (see note 4)
- 2 June Coronation Day
- 10 June Birthday of the Duke of Edinburgh

- 11 June Official celebration of Her Majesty's birthday
- 21 June Birthday of the Duke of Cambridge
- 17 July Birthday of the Duchess of Cornwall
- 15 August Birthday of the Princess Royal
- 13 November Remembrance Day (second Sunday in November, see note 2)
- 14 November Birthday of the Prince of Wales
- 20 November Her Majesty's Wedding Day
- 30 November St Andrew's Day (in Scotland only, see note 1)

Also:

- The day of the opening of a Session of the Houses of Parliament by Her Majesty (see note 3)
- The day of the prorogation of a Session of the Houses of Parliament by Her Majesty (see note 3)

## Notes

1. Where a building has two or more flag poles the appropriate national flag may be flown in addition to the union flag but not in a superior position. UK government buildings within the wider Whitehall area may fly the national flags alongside the union flag on their appropriate saint days.
2. Flags should be flown at full mast all day.
3. Flags should be flown on this day even if Her Majesty does not perform the ceremony in person. Flags should only be flown in the Greater London area.
4. Where the European flag is flown on this day, the Union Flag should fly alongside the European flag and, on UK government buildings that only have one flagpole, the Union Flag should take precedence.
5. The Union Flag only should be flown.

# FLYING FLAGS IN THE UNITED KINGDOM



**A Guide to Britain's Flag Protocol**







## Introduction

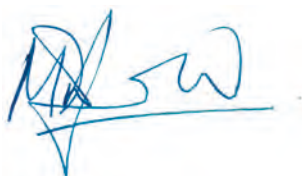
The Union Flag is one of the best-known national symbols in the world. This is not surprising as it has been around for over 400 years with only minor changes. The Union Flag signifies the unity of the nations that make up the United Kingdom and dependencies, and demonstrates the bonds of citizenship which we all share. Whatever our differences may be, whatever our faith, culture, political views, ethnicity, first language or traditional customs, we can all stand beneath this flag united together in common purpose.

But for too long our flag has been taken for granted and largely ignored. Few children are taught about it in school, few people know its history or even the correct way to fly it. It is time that this changed and we became familiar with our flag, because all of us have the right to fly the flag and may use it on land wherever and whenever we wish. It is the people's flag as well as the state flag.

The Flag Institute, in association with the Flags & Heraldry Committee, an all party group of the United Kingdom Parliament, has produced this booklet to help and guide you when flying the flag in a variety of situations - it provides a few simple rules to ensure that the flag is flown correctly and is treated with dignity and respect.

We would like to pay tribute to Graham Bartram, Chief Vexillologist of the Flag Institute, for his outstanding graphics and detailed knowledge in the drafting of this booklet, and also to officials at the Department for Culture, Media and Sport (DCMS) who so kindly supported this venture.

Above all we hope this booklet will encourage you to fly your flag with affection and pride.



Malcolm Farrow OBE  
President of the Flag Institute



Andrew Rosindell MP  
Chairman of the Flags & Heraldry Committee

March 2010

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### Flying Flags in the United Kingdom - A Guide to Britain's Flag Protocol

First published in the United Kingdom in 2010 by the Flag Institute in association with the Flags and Heraldry Committee of the UK Parliament and with support from the Department for Culture, Media and Sport.

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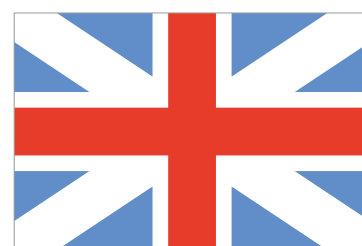
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† from iStockPhoto.com

## The Union Flag

The national flag of the United Kingdom, the Crown Dependencies and Overseas Territories is the Union Flag, which may also be called the Union Jack.<sup>1</sup> The first Union Flag was created in 1606 and combined the flags of England and Scotland. The present Union Flag dates from 1801 when St. Patrick's Cross was added to represent Ireland. It then became possible to display the flag upside down. There is no Flag Act in UK law and the Union Flag is the national flag by long established custom and practice, rather than by statute.



The First Union Flag

## The Flag Protocol of the United Kingdom

The national flags of the United Kingdom (ie. the Union Flag and the flags of England, Scotland and Wales) should be displayed only in a dignified manner befitting the national emblems. They should not be displayed in a position inferior to any other flag or ensign.

It is improper to use the national flags as a table or seat cover or as a masking for boxes, barriers, or the intervening space between a dais or platform and the floor. The use of any of the national flags to cover a statue, monument or plaque for an unveiling ceremony is discouraged.

## Flying the Flag

Flags may be flown on every day of the year. Government and local authority buildings in England, Scotland and Wales are encouraged to fly national flags every day of the year (the flying of flags at certain locations in Northern Ireland is constrained by *The Flags Regulations [Northern Ireland] 2000* and *Police Emblems and Flag Regulations [Northern Ireland] 2002*).<sup>2</sup>

Flags are normally flown from sunrise to sunset but they may also be flown at night, when they should be illuminated.

No permission is needed to fly the national flags and they are excluded from most planning and advertising regulations (but flagpoles may not be).

National flags should never be flown in a worn or damaged condition, or when soiled. To do so is to show disrespect for the nations they represent.

**Important:** the Union Flag has a correct way up - in the half of the flag nearest the flagpole, the wider diagonal white stripe must be above the red diagonal stripe, as Scotland's St Andrew's Cross takes precedence over Ireland's St. Patrick's Cross. It is most improper to fly the flag upside down.

If a purely decorative effect is desired it is better to confine the display to flags of lesser status; for example, house flags, pennants or coloured bunting.



The Modern Union Flag

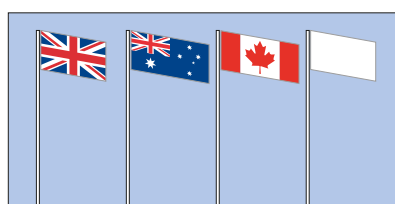


This flag is upside down!

## Position of Honour

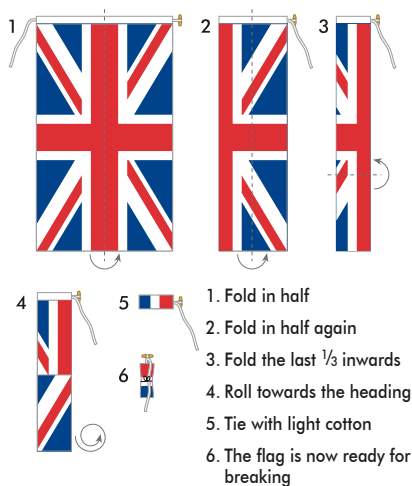
The order of precedence of flags in the UK is: Royal Standards, the Union Flag, the flag of the host country (England, Scotland, Wales, etc.), flags of other nations (in alphabetical order, see the list on page 15), the Commonwealth Flag, the European Union Flag, county flags, flags of cities or towns, banners of arms, and house flags. See Appendix B (page 13) for a detailed precedence list and special precedence orders for international organizations.

When British national flags are flown with the flags of other nations each flag should be the same size (or have the same width - the measure-

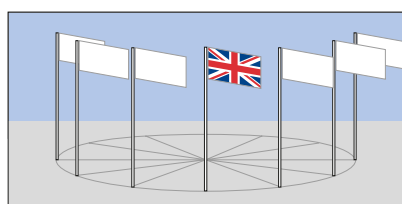
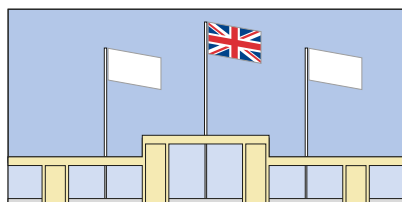
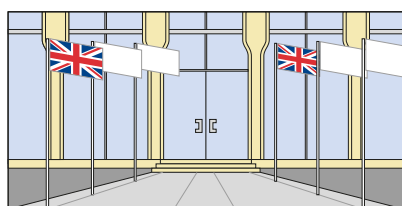
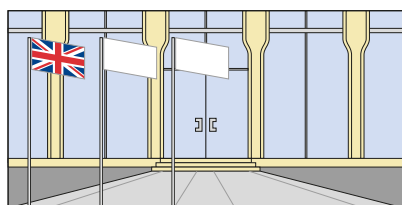


1 See Hansard - House of Lords Debate 14 July 1908 vol 192 cc 579 - 80.

2 See [www.opsi.gov.uk/Sr/sr2000/nisr\\_20000347\\_en.pdf](http://www.opsi.gov.uk/Sr/sr2000/nisr_20000347_en.pdf) & [www.opsi.gov.uk/Sr/sr2002/20020023.htm](http://www.opsi.gov.uk/Sr/sr2002/20020023.htm)



Folding a Flag for Breaking



ment from top to bottom) and should fly from a separate flagpole of the same height.<sup>3</sup> The UK's flag shape of 3:5 works well with nearly all other nations' flags and it is recommended to use these proportions if a standard size is required for all the flags in a display.<sup>4</sup>

The senior British national flag (eg. the Union Flag or the flag of England, Scotland or Wales) should be raised first and lowered last, unless all the flags can be raised and lowered simultaneously. Flags should be raised and lowered in a dignified manner. An alternative British tradition for flag raising is to hoist the flag while rolled up and secured with a thin piece of cotton or a slip knot. A sharp tug of the halyard will break the cotton and release the flag to fly free. This is known as 'breaking' the flag, and is sometimes used to signal the beginning of an event, or the arrival of a VIP.

National flags should be displayed as follows:

### In Front of and On a Building

Where there are two or more flagpoles parallel to the building line, the senior national flag should be the first flag on the left of an observer facing the main entrance of the building. The remaining flags then appear in order of precedence from left to right.

Where there are two or more flagpoles on the forecourt of a building angled to the main entrance, the senior national flag should be flown on the outermost pole when the flagpoles are to the left of the main entrance and on the innermost pole when the flagpoles are to the right of the main entrance, as shown in the diagram.

If only one flag is to be flown and there are two flagpoles, it should be flown on the flagpole to the observer's left. If there are more than two flagpoles, it should be flown as near as possible to the centre. This only applies when the other flagpoles remain empty. It is permissible to fly the same national flag on more than one flagpole by repeating the order of precedence.

If one flagpole is higher than the rest, then the senior national flag can fly from that flagpole; however no non-UK national flags can be flown on the other flagpoles. These can be used for more junior flags such as county and house flags. Alternatively the higher flagpole can be left empty and the remaining flagpoles used. In general when siting flagpoles it is preferable to keep them at the same level to avoid protocol restrictions.

The appropriate size of flag for any flagpole is a matter of aesthetics but, as a guide, a ground-level flagpole should have a flag whose length (its longer dimension) is no more than  $\frac{1}{3}$  of the pole's height. A flagpole on top of a building may need a larger flag because of the added height of the building.

### Within a Circle of Flags

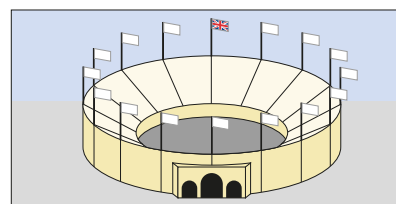
In a semi-circle of flags representing a number of nations, the senior national flag should be in the centre. The remaining flags should be placed with the next most senior flag (or first in alphabetical order if all the flags are of equal seniority) on the left of the central flag, the next on the right of the central flag, the next on the 2<sup>nd</sup> left from the central flag, and continuing to alternate left and right.

<sup>3</sup> International protocol prohibits the flying of any nation's flag higher than another (apart from at medal ceremonies during sporting events).

<sup>4</sup> If each country's official dimensions are being used, any of the flags that are square or nearly square can have a slightly larger width (up to 25% more) to give a more equal area.



In an enclosed circle of flags representing a number of nations, the senior national flag should be flown on the flagpole immediately opposite the main entrance to the venue, or above the Royal Box if there is no main entrance. The remaining flags should be arranged as for the semi-circle of flags described above. Alternatively they can be arranged alphabetically, going clockwise.

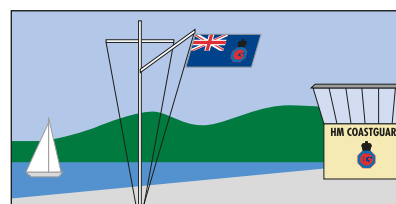
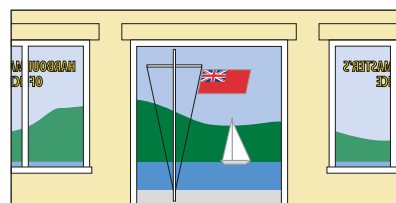


### From a Flagpole with Yardarm and Gaff

When displayed on a flagpole fitted with yardarms (horizontal cross-pieces), the senior national flag or ensign<sup>5</sup> should be flown from the starboard yardarm (the right as viewed from the rear, the left as viewed from the front).

If the flagpole is fitted with a gaff (a short pole attached to the flagpole at an angle - see diagram), the senior *ensign* should be flown from the gaff. If there is no ensign to be flown, the gaff should be left empty and the senior national flag flown from the starboard yardarm, as described above.

A yacht club burgee or distinguishing flag can be flown from the mast-head, the highest point of the flagpole.

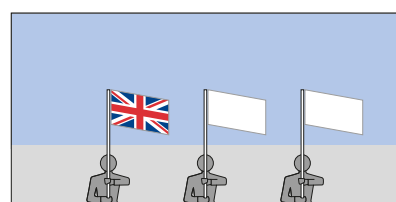
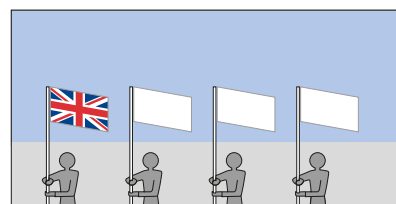


### In Processions

The senior national flag should always lead in a single file of flags.

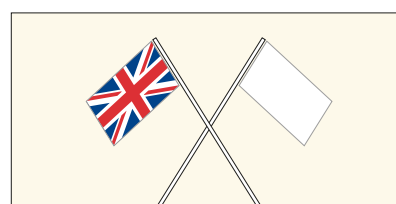
When two or more flags are carried side-by-side, the senior national flag takes the position of honour at the right-hand side of the line facing the direction of movement (the left of an observer watching the line approach).

When passing the person taking the salute the flag should be lowered so that the staff is horizontal. This can be done by simply lowering the staff straight ahead, or by lowering the staff towards the person taking the salute and then swinging it round to straight ahead. All the movements should be slow and dignified. After the salute, the flag should be raised again.



### With Crossed Flags

Whenever crossed with the flag of another nation or organization, the senior national flag should be on the left of the observer facing the flag. Its staff should be in front of the staff of the other flag.



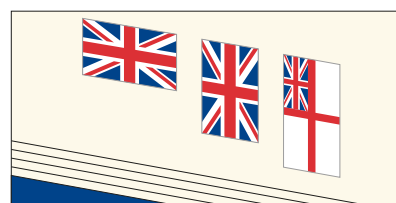
### Suspended Vertically Above a Street

Care should be taken to ensure that all flags suspended vertically across a street are hung to be seen from the same direction.

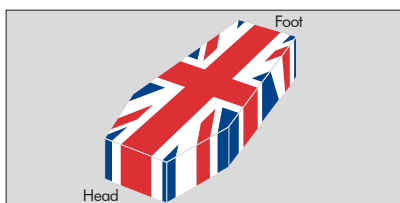
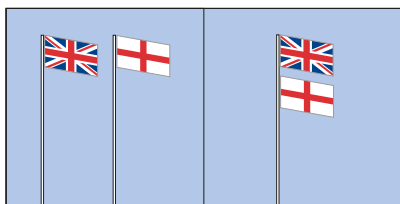
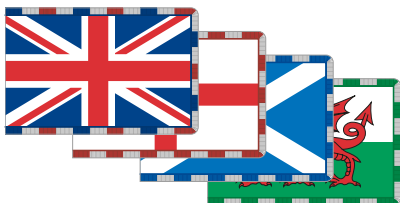
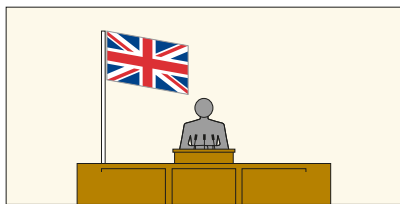
### Flat Against a Surface

**Union Flag** - If hung horizontally or vertically, the broad white diagonal should be uppermost in the top-left corner.

**Other flags** - If hung vertically, the edge that would normally be the top of the flag should be on the left, so, for example, ensigns have their Union Flag canton in the upper left corner. On ensigns that have an armorial badge, if possible the badge should be upright, and the correct way round.



<sup>5</sup> Ensigns are the national flags that identify a vessel's nationality and in the UK have the Union Flag in the top corner.



A Coffin with a Fitted Cover

(if a flag is used, 1:2 proportions fit the shape of the coffin better)

## On a Speaker's Platform

When displayed from a staff, on a speaker's platform, the senior national flag should be placed on the right-hand side of the speaker, and therefore to the audience's left.

For interior or parade use a 'dress flag' may be used. This is sometimes made of silk or satin with a fringe around three sides. The fringe can be gold or red/white/blue for the Union Flag, red/white for St. George's Cross, blue/white for St. Andrew's Cross and green/white for the Red Dragon. The fringe is purely decorative.

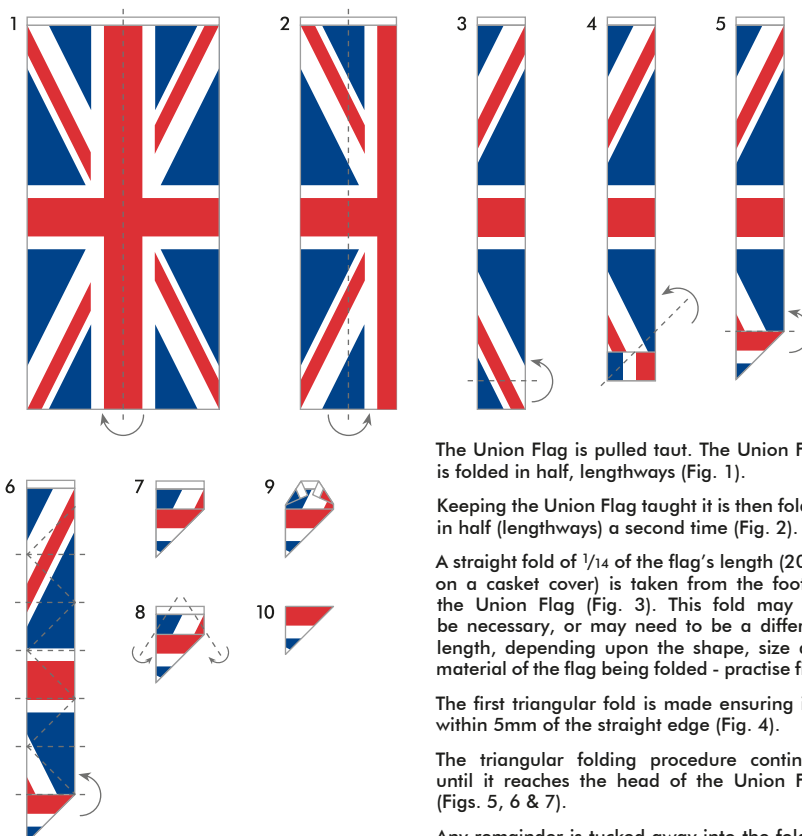
## Double-Flagging

Sometimes it may be desired to display two flags when only one flagpole is available. As long as both flags are British this is possible. The senior flag should fly at the top, with a gap of about 30cm (12"), assuming there is enough vertical space on the pole. For example, the Union Flag can be flown over the flag of England, Scotland or Wales (as shown), or over a county, city or house flag. When flags are at half-mast the lower flag must be removed.

## As a Pall for a Coffin

If a national flag is to be used on a coffin, it should be placed so that the top-left corner of the flag is over the deceased's left shoulder. The flag should be removed before interment or cremation and folded.

If the flag is to be retained by the next of kin it can be folded using the Royal Navy's method shown here, based on a 1:2 flag (138cm x 276cm) with no fittings (ie. ropes, toggles or clips), or using the method shown on page 4:



The Union Flag is pulled taut. The Union Flag is folded in half, lengthways (Fig. 1).

Keeping the Union Flag taut it is then folded in half (lengthways) a second time (Fig. 2).

A straight fold of  $\frac{1}{14}$  of the flag's length (20cm on a casket cover) is taken from the foot of the Union Flag (Fig. 3). This fold may not be necessary, or may need to be a different length, depending upon the shape, size and material of the flag being folded - practise first!

The first triangular fold is made ensuring it is within 5mm of the straight edge (Fig. 4).

The triangular folding procedure continues until it reaches the head of the Union Flag (Figs. 5, 6 & 7).

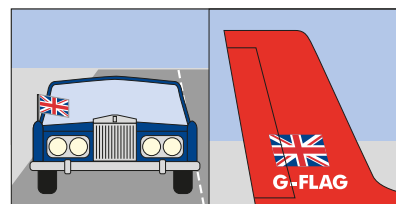
Any remainder is tucked away into the fold of the triangular shape (Fig. 8 & 9).

The Union Flag ready for presentation (Fig. 10).

## On Vehicles

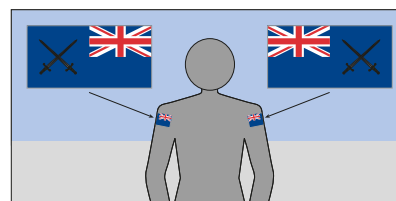
A car flag should be placed on a staff fitted to the front-right wing, in the centre of front edge of the bonnet, or in the centre of the front edge of the roof. If two flags are to be flown, the senior flag should be on the front-right wing and the junior flag on the front-left wing.

When flags are painted onto a vehicle, or on the tail fin of an aircraft, the flag on the port side should show the obverse of the flag (ie. the flagpole on the left), while that on the starboard side should show the reverse (ie. the flagpole on the right). On surfaces perpendicular to the direction of travel (eg. the back of the vehicle) the obverse of the flag should be shown.



## On Uniforms

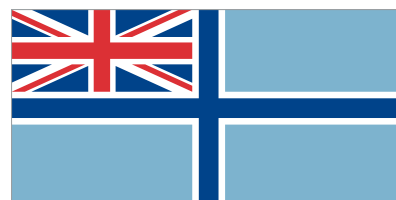
When flag shoulder patches are worn on uniforms the flag on the left shoulder or sleeve should show the obverse of the flag (ie. the flagpole at the wearer's front). If there is a patch on the right shoulder or sleeve it should show the reverse of the flag (ie. still with the flagpole at the wearer's front). If more than one flag is to be worn, the Union Flag should be at the top.



## At Civilian Transport Facilities

Civilian marine facilities should fly the Civil Ensign (the undefaced Red Ensign) as their national flag, unless they belong to an organization that holds a warrant for a special ensign, when that ensign should be used instead.

Civilian air facilities, such as airports and airfields, should fly the Civil Air Ensign as their national flag, rather than the Union Flag. They may additionally fly the flag of England, Scotland or Wales and the appropriate county flag.



The Civil Air Ensign

## Pennants

It is sometimes impractical to fly a full-size flag throughout the year - flags can wear out quickly, especially if they are flown in adverse conditions. Bare flagpoles are a sad sight. The pennant, or vimpel, is a solution to these problems. The long narrow streamer-like flags are designed to be left flying day and night. The optional single point attachment and the narrow tail reduce wear and their length means that they can be easily repaired.



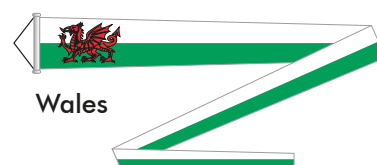
England



Scotland



Union



Wales

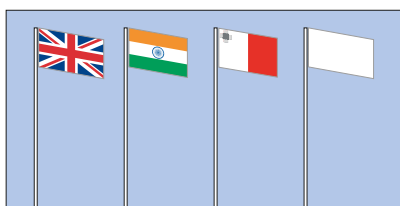
## The Royal Standard

The Royal Standard (actually the Royal Banner - a *standard* being an heraldic flag similar to the pennants above) should only be flown whilst the Royal person is on the premises, being hoisted (or broken) on their arrival and lowered following their departure. If the Royal person is to be present in a building, the Lord Chamberlain's Office or the Royal person's Private Secretary should be consulted. They will advise on the flag to be flown. The Royal Standard is never hoisted when the Royal person is passing in procession.

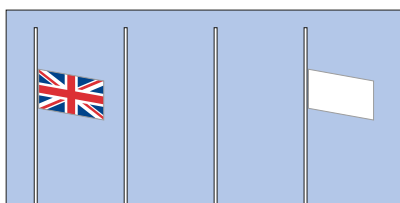
The Royal Standard takes precedence over all other flags in the United Kingdom, including the Union Flag.



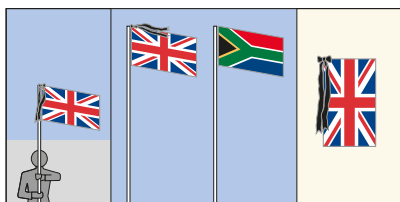
The Royal Standard  
(in Scotland the design is different)



A Stand of Flags at Full-mast



The Same Stand at Half-mast



Mourning Cravats

## Flags at Half-mast

Half-mast means the flag is flown two-thirds of the way up the flagpole, with at least the height of the flag between the top of the flag and the top of the flagpole. Flags cannot be flown at half-mast on poles that are more than 45° from the vertical, but a mourning cravat can be used instead (see below).

When a flag is to be flown at half-mast, it should first be raised all the way to the top of the mast, allowed to remain there for a second and then be lowered to the half-mast position. When it is being lowered from half-mast, it should again be raised to the top of the mast for a second before being fully lowered.

When a British national flag is at half-mast, other flags on the same stand of poles should also be at half-mast or should not be flown at all. Flags of foreign nations should not be flown, unless their country is also observing mourning.

The Royal Standard never flies at half-mast. It represents the Monarchy, which is continuous, and it would therefore be inappropriate for it to fly at half-mast.

Flags should be flown at half-mast on the following occasions:

- From the announcement of the death until the funeral of the Sovereign, except on Proclamation Day when flags are flown at full-mast following the proclamation.
- From the announcement of the death until the funeral of a member of the Royal Family styled 'Royal Highness', subject to special commands from the Sovereign in each case.
- On the day of the announcement of the death and on the day of the funeral of other members of the Royal Family, subject to special commands from the Sovereign in each case.
- The funerals of foreign Rulers, subject to special commands from the Sovereign in each case.
- The funerals of Prime Ministers and ex-Prime Ministers of the United Kingdom, subject to special commands from the Sovereign in each case.
- The funerals of First Ministers and ex-First Ministers of Scotland, Wales and Northern Ireland, subject to special commands from the Sovereign in each case. Unless otherwise commanded by the Sovereign, this only applies to flags in their respective countries.
- At British Embassies, High Commissions and Missions when flags in the host country are flown at half-mast, subject to the discretion of the *Chef de Mission*.
- Any other occasions where the Sovereign has given a special command.

If the body of a very distinguished citizen is lying in a building, the flag should fly at half-mast on that building until the body has left.

An alternative mark of mourning, used when half-masting is unsuitable, is to add a black cravat or ribbon to the top of the flag, at the hoist.

*The above cover Royal and National Mourning, but flags may be flown at half-mast on private or non-Government buildings on other relevant occasions. Flags fly at full-mast on Remembrance Sunday.*

## The Proper Disposal of Flags

When a flag becomes tattered or faded and is no longer in a suitable condition for use, it should be destroyed in a dignified way, for example by burning, tearing or cutting into strips that no longer resemble the original flag.

## Appendix A - British Flags

A selection of the principal flags of the United Kingdom, British Overseas Territories and Crown Dependencies:



Union Flag



England



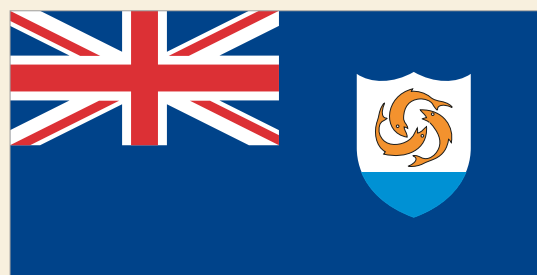
Scotland



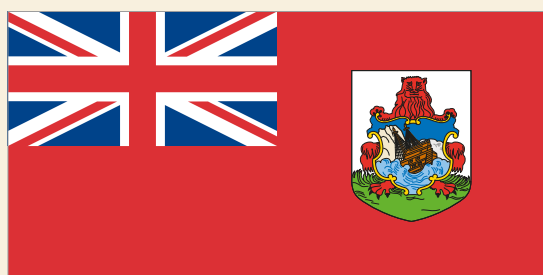
Wales



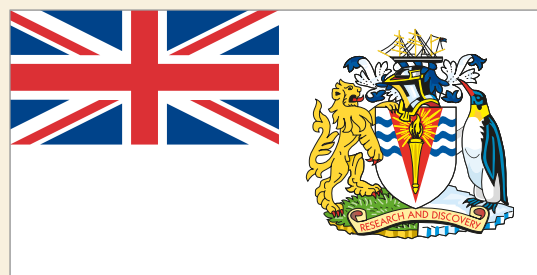
Alderney



Anguilla



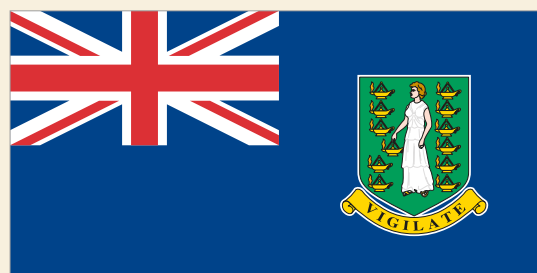
Bermuda



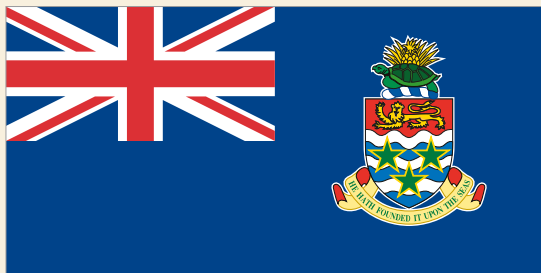
British Antarctic Territory



British Indian Ocean Territory



British Virgin Islands



Cayman Islands



Falkland Islands



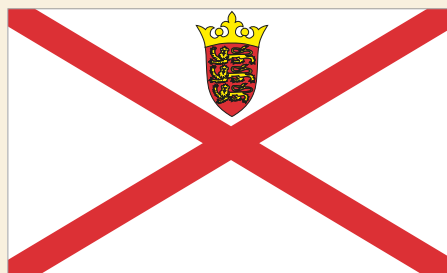
Gibraltar



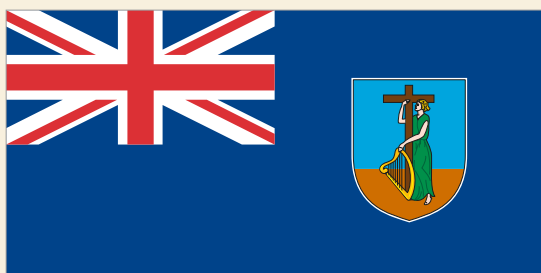
Guernsey



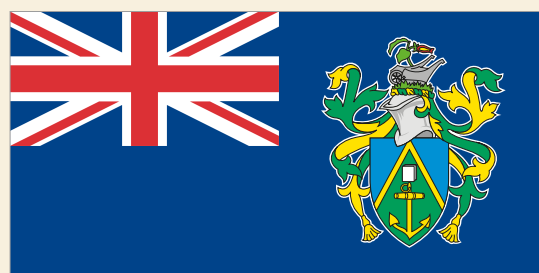
Isle of Man



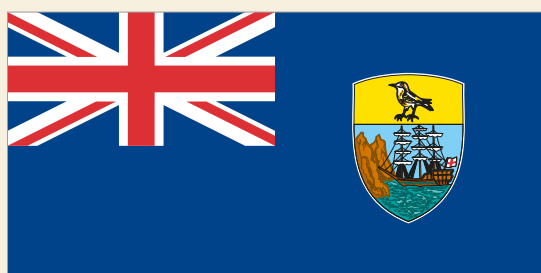
Jersey



Montserrat



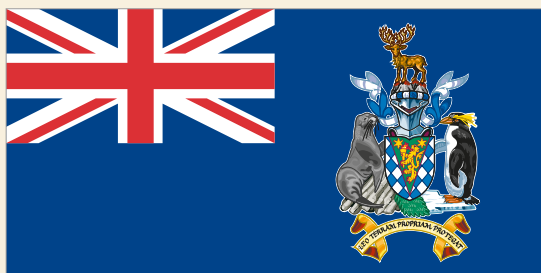
Pitcairn Islands



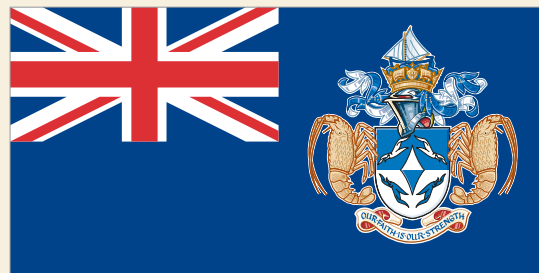
Saint Helena



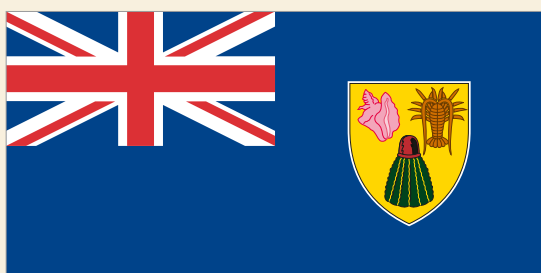
Sark



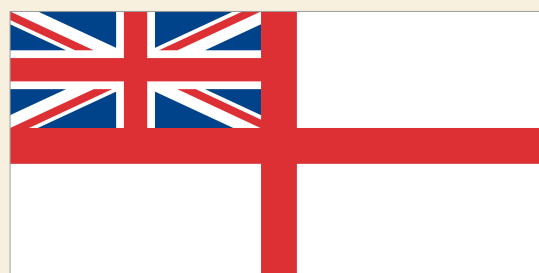
South Georgia and the South Sandwich Islands



Tristan da Cunha



Turks and Caicos Islands



White Ensign (Royal Navy)



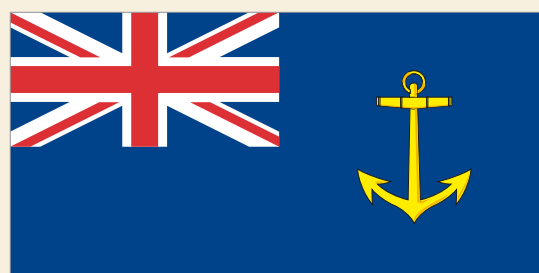
Royal Air Force Ensign



Red Ensign (Merchant Navy)



Civil Jack



Blue Ensign (Royal Fleet Auxiliary)

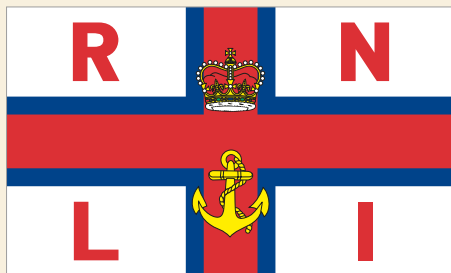


British Army (Non-Ceremonial)



Diplomatic Service Flag (eg. British Embassy)

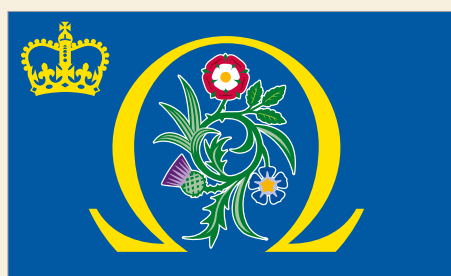




Royal National Lifeboat Institution (RNLI)



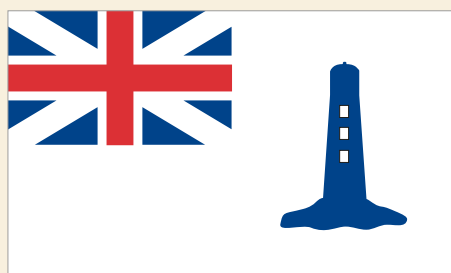
HM Coastguard



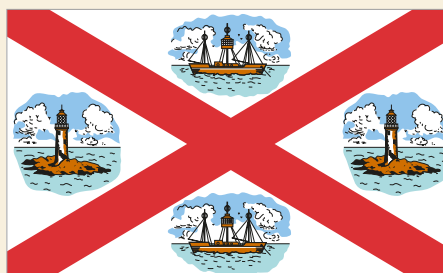
United Kingdom Supreme Court



Trinity House (English and Welsh Lighthouses)



Northern Lights (Scottish Lighthouses)



Irish Lights (All Irish Lighthouses)



Metropolitan Police



Police Service of Northern Ireland (PSNI)



Ministry of Defence



Queen's Award for Enterprise



## Appendix B - Precedence of Flags

There are four main orders of precedence for flags in the United Kingdom, depending upon the occasion:

### General Precedence

The Royal Standards<sup>6</sup>

The Union Flag

The national flag of England, Scotland, Wales, a Crown Dependency or a British Overseas Territory (within those countries, dependencies or territories)

The White Ensign of the Royal Navy<sup>7</sup>

The Ensign of the Royal Air Force<sup>7</sup>

The Blue and Red Ensigns<sup>7</sup>

The Civil Air Ensign<sup>7</sup>

The national flags of England, Scotland, Wales, the Crown Dependencies and the British Overseas Territories (when displayed elsewhere)

The national flags of other nations (in English alphabetical order as shown on page 15)

The United Nations Flag

The Commonwealth Flag

The European Union Flag

The British Army Flag (Non-Ceremonial)

Flags of counties and metropolitan cities

Flags of other cities and towns

Banners of Arms (both personal and corporate)

House flags

### Order for Commonwealth Events Held in the UK (but not the Commonwealth Games)

The Royal Standards<sup>6</sup>

The Commonwealth Flag

The Union Flag

The national flag of England, Scotland or Wales (whichever is hosting the event)

The national flags of the Commonwealth in order of original accession to the Commonwealth (date shown in brackets):

Canada (11 Dec 1931, dominion status 1867), Australia (11 Dec 1931, dominion status 1901), New Zealand (11 Dec 1931, dominion status 1907), South Africa (11 Dec 1931, dominion status 1910), India (14/15 Aug 1947), Pakistan (14/15 Aug 1947), Sri Lanka (4 Feb 1948), Ghana (6 Mar 1957), Malaysia (31 Aug 1957), Nigeria (1 Oct 1960), Cyprus (13 Mar 1961), Sierra Leone (27 Apr 1961), Tanzania (9 Dec 1961), Jamaica (6 Aug 1962), Trinidad and Tobago (31 Aug 1962), Uganda (9 Oct 1962), Kenya (12 Dec 1963), Malawi (6 Jul 1964), Malta (21 Sep 1964), Zambia (24 Oct 1964), The



The Commonwealth Flag

<sup>6</sup> Only one Royal Standard is normally flown, and the order of precedence is: The Royal Standard of HM The Queen, The Personal Flags of HRH The Duke of Edinburgh, HRH The Prince of Wales and Duke of Rothesay, HRH Prince William of Wales, HRH Prince Harry of Wales, HRH The Duke of York, HRH The Earl of Wessex, HRH The Princess Royal, HRH The Duke of Gloucester, HRH The Duke of Kent, HRH Prince Michael of Kent, HRH Princess Alexandra, The Other Members' Standard.

<sup>7</sup> When these ensigns are flown in place of the Union Flag they take the same precedence as the Union Flag.

Gambia (18 Feb 1965), Singapore (15 Oct 1965), Guyana (26 May 1966), Botswana (30 Sep 1966), Lesotho (4 Oct 1966), Barbados (30 Nov 1966), Mauritius (12 Mar 1968), Swaziland (6 Sep 1968), Nauru (1 Nov 1968), Tonga (4 Jun 1970), Samoa (28 Aug 1970), Fiji Islands (10 Oct 1970), Bangladesh (18 Apr 1972), The Bahamas (10 Jul 1973), Grenada (7 Feb 1974), Papua New Guinea (16 Sep 1975), Seychelles (29 Jun 1976), Solomon Islands (7 Jul 1978), Tuvalu (1 Oct 1978), Dominica (3 Nov 1978), Saint Lucia (22 Feb 1979), Kiribati (12 Jul 1979), Saint Vincent and the Grenadines (27 Oct 1979), Vanuatu (30 Jul 1980), Belize (21 Sep 1981), Antigua and Barbuda (1 Nov 1981), Maldives (9 Jul 1982), Saint Christopher and Nevis (19 Sep 1983), Brunei Darussalam (1 Jan 1984), Namibia (21 Mar 1990), Cameroon (13 Nov 1995), Mozambique (13 Nov 1995), Rwanda (29 Nov 2009)

### Order for United Nations Events

The United Nations Flag

The national flags of the United Nations members in order of their name as used at the UN. The exceptions to the normal alphabetical order are (with the sorting letter underlined):

Côte d'Ivoire (Ivory Coast), Democratic People's Republic of Korea (North Korea), Myanmar (Burma), Republic of Korea (South Korea), Republic of Moldova (Moldova), The Former Yugoslav Republic of Macedonia (Macedonia), Timor Leste (East Timor), United Republic of Tanzania (Tanzania)



The United Nations Flag



The European Union Flag

### Order for European Union Events

The European Union Flag

The national flags in order of their name in their primary local language.

The local form is shown where its sorting letter differs from English:

Belgium, Bulgaria, Czech Republic, Denmark, Deutschland (Germany), España (Spain), Estonia, France, Hellás (Greece), Ireland, Italy, Kypros (Cyprus), Latvia, Lithuania, Luxembourg, Magyarország (Hungary), Malta, Netherlands, Österreich (Austria), Poland, Portugal, Romania, Slovakia, Slovenia, Suomi (Finland), Sweden, United Kingdom

### English Alphabetical Order

To help with international flag displays the nations of the world are listed here in the normal English alphabetical order. The order uses the short name of the country rather than its formal name (ie. 'Australia' rather than 'Commonwealth of Australia') and ignores 'The'. Some of the names that might not be familiar are: Congo-Brazzaville - the former French colony of Congo; Congo-Kinshasa - the former Belgian Congo, now formally called the Democratic Republic of Congo; and Côte d'Ivoire - the Ivory Coast.

The countries marked with an asterisk (\*) are British (the constituent countries of the UK, the Crown Dependencies and the British Overseas Territories); for displays of flags within these countries, dependencies or territories, the local national flag takes precedence immediately after the Union Flag and before any British ensigns (White, RAF, Red, Blue and Civil Air). The remainder should be displayed in alphabetical order as shown, with the countries that make up the United Kingdom taking precedence.

Countries marked with a dagger symbol (†) are dependencies of other nations. Please note that the Taiwan flag may cause offence to representatives of the People's Republic of China.

United Kingdom	Cape Verde	Jordan	Qatar
England*	Central African Republic	Kazakhstan	România
Scotland*	Chad	Kenya	Russian Federation
Wales*	Chile	Kiribati	Rwanda
Alderney*	China	Kosovo	Saint Kitts and Nevis
Anguilla*	Christmas Island†	Kuwait	Saint Lucia
Bermuda*	Colombia	Kyrgyzstan	Saint Vincent and the Grenadines
British Antarctic Territory*	Comoros	Laos	Samoa
British Indian Ocean Territory*	Congo-Brazzaville	Latvia	San Marino
British Virgin Islands*	Congo-Kinshasa (DR)	Lebanon	São Tomé and Príncipe
Cayman Islands*	Cook Islands†	Lesotho	Saudi Arabia
Falkland Islands*	Costa Rica	Liberia	Senegal
Gibraltar*	Côte d'Ivoire	Libya	Serbia
Guernsey*	Croatia	Liechtenstein	Seychelles
Isle of Man*	Cuba	Lithuania	Sierra Leone
Jersey*	Cyprus	Luxembourg	Singapore
Montserrat*	Czech Republic	Macau SAR†	Slovakia
Pitcairn Islands*	Denmark	Macedonia	Slovenia
Saint Helena*	Djibouti	Madagascar	Solomon Islands
Sark*	Dominica	Malawi	Somalia
South Georgia and the South Sandwich Islands*	Dominican Republic	Malaysia	South Africa
Tristan da Cunha*	Ecuador	Maldives	South Korea
Turks and Caicos Islands*	Egypt	Mali	Spain
Afghanistan	El Salvador	Malta	Sri Lanka
Albania	Equatorial Guinea	Marshall Islands	Sudan
Algeria	Eritrea	Mauritania	Suriname
American Samoa†	Estonia	Mauritius	Swaziland
Andorra	Ethiopia	México	Sweden
Angola	Faroe Islands†	Micronesia	Switzerland
Antigua and Barbuda	Fiji	Moldova	Syria
Argentina	Finland	Monaco	Taiwan
Armenia	France	Mongolia	Tajikistan
Aruba†	French Polynesia†	Montenegro	Tanzania
Australia	Gabon	Morocco	Thailand
Austria	Gambia, The	Mozambique	Timor Leste
Azerbaijan	Georgia	Namibia	Togo
Bahamas, The	Germany	Nauru	Tokelau†
Bahrain	Ghana	Nepal	Tonga
Bangladesh	Greece	Netherlands, The	Trinidad and Tobago
Barbados	Greenland†	Netherlands Antilles†	Tunisia
Belarus	Grenada	New Zealand	Turkey
Belgium	Guam†	Nicaragua	Turkmenistan
Belize	Guatemala	Niger	Tuvalu
Benin	Guinea	Nigeria	Uganda
Bhutan	Guinea-Bissau	Niue†	Ukraine
Bolivia	Guyana	Norfolk Island†	United Arab Emirates
Bosnia and Herzegovina	Haiti	North Korea	United States of America
Botswana	Honduras	Northern Marianas†	Uruguay
Brazil	Hungary	Norway	Uzbekistan
Brunei Darusalam	Iceland	Oman	Vanuatu
Bulgaria	India	Pakistan	Vatican City
Burkina Faso	Indonesia	Palau	Venezuela
Burma	Iran	Panamá	Viêt Nam
Burundi	Iraq	Papua New Guinea	Virgin Islands†
Cambodia	Ireland	Paraguay	Yemen
Cameroon	Israel	Perú	Zambia
Canada	Italy	Philippines	Zimbabwe
	Jamaica	Poland	
	Japan	Portugal	
		Puerto Rico†	











## The Flag Institute

The Flag Institute is the British centre of excellence for everything connected with flags, past, present and future. It advises government departments, public bodies, commercial companies and individuals alike on all issues concerning flags, including ceremonial, constitutional as well as design, use and practical matters of flying flags. It is responsible for maintaining the Register of County Flags.

There are flag organisations in many countries and the Flag Institute is an active member of the *Fédération Internationale des Associations Vexillogiques*, the international flag organisation.

The Institute publishes a quarterly illustrated journal, *Flagmaster*, which includes articles on wide and varied flag related subjects and in which details and pictures of new national and international flags are presented.

Membership of the Flag Institute is open to everyone interested in flags, whether individuals, organisations or companies. The Institute's William Crampton Library is open to members and is situated in Kingston upon Hull.

To find out more, or to request further copies of this booklet, please visit the Institute's website at:

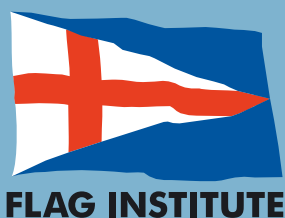
[www.flaginstitute.org](http://www.flaginstitute.org)



## The Flags & Heraldry Committee

The Flags & Heraldry Committee is an All-Party Parliamentary Group of the United Kingdom parliament. It was formally established on 5th February 2008 as the All-Party Parliamentary Flag Group. It is comprised of MPs and Peers from across the political spectrum who wish to promote the flying of the Union Flag and all flags associated with the United Kingdom, the British Overseas Territories and Crown Dependencies.

The Committee is based within the Palace of Westminster and has become a vibrant and active body which has successfully lobbied the House authorities to fly the Union Flag on all the flag poles on the Parliamentary Estate at all times throughout the year. As a result of this long running campaign, led by Andrew Rosindell MP, the Committee's Chairman, and with the unwavering support of the Flag Institute, the Union Flag is now flown from the Victoria Tower of Parliament and all other flag poles, three hundred and sixty five days a year. A Private Members Bill was also tabled on the floor of the House of Commons defining the Union Flag as the official flag of the United Kingdom.



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Department for  
Communities and  
Local Government

## Plain English guide to flying flags

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# Introduction

Flags are a very British way of expressing joy and pride – they are emotive symbols which can boost local and national identities and strengthen community cohesion. The Government has recently made changes to regulations which widen the types of flags which you may fly in England. This guide provides a brief summary of the new, more liberalised, controls over flag flying that were introduced on 12 October 2012.

Flags are treated as advertisements for the purposes of the planning regime and some require formal consent (permission) from the local planning authority, whereas others do not. The detailed controls over flag flying are set out in amended regulations (see link below) which are administered by local planning authorities. If you are unclear about whether consent is required for flying a flag you should contact your local planning authority who can provide detailed advice.

## All flag flying is subject to some standard conditions

All flags must be:

- be maintained in a condition that does not impair the overall visual appearance of the site ;
- be kept in a safe condition;
- have the permission of the owner of the site on which they are displayed (this includes the Highway Authority if the sign is to be placed on highway land);
- not obscure, or hinder the interpretation of official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport, and
- be removed carefully where so required by the planning authority.

Subject to compliance with the standard conditions, there are 3 categories of flag: (a) flags which can be flown without consent of the local planning authority, (b) flags which do not need consent provided they comply with further restrictions (referred to as “deemed consent” in the Regulations) and (c) flags which require consent (“express consent”).

### (a) Flags which do not need consent

The recent changes allow a wider range of national, sub-national, community and international flags. The full list of flags that do not require consent are:

- (a) Any country’s national flag, civil ensign or civil air ensign;
- (b) The flag of the Commonwealth, the European Union, the United Nations or any other international organisation of which the United Kingdom is a member;
- (c) A flag of any island, county, district, borough, burgh, parish, city, town or village within the United Kingdom;
- (d) The flag of the Black Country, East Anglia, Wessex, any Part of Lincolnshire, any Riding of Yorkshire or any historic county within the United Kingdom;
- (e) The flag of Saint David;
- (f) The flag of Saint Patrick;
- (g) The flag of any administrative area within any country outside the United Kingdom;

- (h) Any flag of Her Majesty's forces;
- (i) The Armed Forces Day flag.

The above flags or their flagpoles must not display any advertisement or subject matter additional to the design of the flag, but the Regulations now highlight that you can attach a black mourning ribbon to either the flag or flagpole where the flag cannot be flown at half mast, for example, when flying a flag on a flagpole projecting at an angle from the side of a building. The use of the word "country" in (a) and (g) of the list above, includes any of the Channel Islands, the Isle of Man and any British Overseas Territory. The flags of St George and St Andrew are recognised as the national flags of England and Scotland, but the flags of St David and St Patrick are listed separately as they do not necessarily fall into the category of a country's national flag.

## **(b) Flags which do not require consent provided they comply with certain restrictions**

A number of categories of flag may be flown without consent, subject to certain restrictions regarding the size of the flag, the size of characters on the flag, and the number and location of the flags.

Categories of flag that can now be flown<sup>1</sup>:

- House flag - flag is allowed to display the name, emblem, device or trademark of the company (or person) occupying the building, or can refer to a specific event of limited duration that is taking place in the building from which the flag is flown
- Any sports club (but cannot include sponsorship logos)
- The horizontal striped rainbow flag, such as the "Pride" Flag
- Specified award schemes - Eco-Schools, Queens Awards for Enterprise and Investors in People

The restrictions on flying this second category of flag relate to where the flagpole (flagstaff) is located on a building or within the grounds of a building.

### **Flying a flag on a vertical flagpole from the roof of a building**

- Only one flag on a vertical flagpole on the roof of a building is permitted
- There are no restrictions on the size of flag
- No restrictions on the size of any character or symbol displayed on the flag, except where a flag is flown within an area of outstanding natural beauty, area of special control\*, the Broads, conservation area or a National Park (referred to elsewhere as "controlled areas") where the characters may be no more than 0.75 metre in height (0.3 metre in height in an area of special control)
- It is permitted to fly one flag on a vertical flagpole on the roof of a building and one flag within the grounds of the building without consent (subject to restrictions below). However it is not permitted to fly a flag on a projecting flagpole and on a vertical roof top flagpole without consent.

---

<sup>1</sup> There are also more restricted opportunities to fly flags associated with other environmental awards (see further commentary below)

## **Flying a flag on a flagpole projecting from any part of a building other than the roof (eg projecting from the side of the building)**

- Only one flag on a projecting flagpole on a building is permitted
- The flag may not exceed 2 square metres in size
- No restrictions on the size of characters
- Consent is required if the flagpole is in a controlled area
- It is permitted to fly one flag on a vertical flagpole on the roof of a building and one flag within the grounds of the building without consent (subject to restrictions below). However it is not permitted to fly a flag on a vertical flagpole on the roof and a projecting flagpole without consent.

## **Flying one or two flags within the grounds of a building**

You can now fly up to two flags (before the changes only one flag was allowed) within the grounds (the regulations refer to “curtilage”) of a building subject to the conditions listed below:

- There are no restrictions on the size of the flag, but any flagpole may not exceed 4.6 metres above ground level
- Consent is required if the flag is to be flown in a controlled area
- Up to two flags can be flown without consent in the grounds of a building, but only one flag can be flown within the grounds of a building if another flag is either being flown from the roof, or is projecting from the building

The table below summarises the various options for flying flags from, or within the grounds, of buildings.

### **Summary of location options**

<b>If I fly one flag</b>	<b>What other flags do not require consent</b>
<i>On a vertical flagpole on the roof</i>	One additional flagpole in the grounds of the building is allowed
<i>On a projecting flagpole from the building</i>	One additional flagpole in the grounds of the building is allowed
<i>In the grounds of the building</i>	One additional flag is allowed – either a vertical flagpole on the roof of the building or a projecting flagpole attached to the building or flagpole in the grounds of the building

## **Green and blue environmental award scheme flags**

The changes also allow a flag of the Blue Flag award scheme to be flown from a flagpole on part of a beach or marina and a flag of the Green Flag Award scheme or Green Flag Community Award scheme to be flown on part of a park, garden or other green space.

### **(c) Flags which require consent**

Any flag not identified above requires express consent from the local planning authority before it can be flown.

## **Further information**

The 2007 and 2012 Regulations (which relax a number of the 2007 controls) can be viewed respectively on the Government legislation website at [www.legislation.gov.uk/ukxi/2007/783/pdfs/ukxi\\_20070783\\_en.pdf](http://www.legislation.gov.uk/ukxi/2007/783/pdfs/ukxi_20070783_en.pdf) and [www.legislation.gov.uk/ukxi/2012/2372/contents/made](http://www.legislation.gov.uk/ukxi/2012/2372/contents/made). The 2007 Regulations also had other amendments (not relevant to flags) added in 2011 - [www.legislation.gov.uk/ukxi/2011/2057/contents/made](http://www.legislation.gov.uk/ukxi/2011/2057/contents/made).

Departmental guidance published in 2007 for planning authorities on the operation of the Regulations is available at <https://www.gov.uk/government/publications/town-and-country-planning-control-of-advertisements-england-regulations-2007-circular-03-2007> and for advertisers at <https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers>.

Further information on flags can be found on the Flag Institute's website at [www.flaginstitute.org/](http://www.flaginstitute.org/).



# The Union Flag and Flags of the United Kingdom

Standard Note: SN/PC/04474

Last updated: 13 March 2013

Author: Agnieszka Suchenia

Section: Parliament and Constitution Centre

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The Department for Culture, Media and Sport (DCMS) launched a consultation on altering the guidance for flying the Union Flag from UK Government buildings on 25 July 2007.

As a result of the consultation, since March 2008 the UK Government Departments have the freedom to fly the Union Flag from government buildings all year round in addition to the designated fixed flag flying days. In November 2012 also the Department for Communities and Local Government (DCLG), following a public consultation, introduced a new liberalised regulations on flying flags which widened the types of flags which may be flown in England.

The purpose of this Note is to set out a brief history of the flags of the United Kingdom and to explain the current guidance issued by the DCMS. This Note also refers to the current guidance issued by the devolved administrations of Scotland, Wales and Northern Ireland.

This information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as being up to date; the law or policies may have changed since it was last updated; and it should not be relied upon as legal or professional advice or as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

This information is provided subject to [our general terms and conditions](#) which are available online or may be provided on request in hard copy. Authors are available to discuss the content of this briefing with Members and their staff, but not with the general public.

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## 1 Background<sup>1</sup>

Currently, the Union Flag is flown on government buildings by command of Her Majesty the Queen. There is no formal definition of a Government building but 'it is generally accepted to mean a building owned or used by the Crown and predominately occupied or used by civil servants or Her Majesty's Armed Forces'.<sup>2</sup>

The flying of flags is not the subject of statute law in England, Wales or Scotland. Advice is issued by the Department for Culture, Media and Sport (DCMS) on the flying of national flags on government buildings, apart from those which are the responsibility of a devolved administration. The advice relates to government buildings only, but many councils also follow the advice on a voluntary basis.<sup>3</sup>

In July 2007, following the publication of the green paper, *The Governance of Britain*, UK Government Departments were encouraged to fly the Union Flag for three hundred and sixty five days a year and not only on the 18 designated days.<sup>4</sup> Since March 2008 the UK Government Departments officially have the freedom to fly the Union Flag from government buildings all year round in addition to the designated fixed flag flying days which are listed in Appendix A of this standard note. The Union Flag is also flown for visiting Heads of State or the death of Heads of State.

Until 2010 the Union Flag was flown from the Victoria Tower of the Palace of Westminster only when Parliament was sitting and on the appointed days. These regulations were queried by the Flags & Heraldry Committee (formally established as the All-Party Parliamentary Flag Group) who together with the Flag Institute, had long campaigned to see the flag flown permanently. In early 2010 Black Rod<sup>5</sup> agreed that this should be so and since then the flag has flown all the time.<sup>6</sup> Currently, the Union Flag is flown from the Victoria Tower of Parliament and all other flag poles, three hundred and sixty five days a year.<sup>7</sup>

The order of precedence of flags in the UK is as follows: Royal Standards, the Union Flag, the flag of the host country (England, Scotland, Wales, etc.), flags of other nations [...] the Commonwealth Flag, the European Union Flag, county flags, flags of cities or towns, banners of arms, and house flags.<sup>8</sup> National flags should never be flown in worn or damaged condition, or when soiled as this shows disrespect to the nations they represent.

The Royal Standard (actually the Royal Banner) should only be flown whilst the Royal person is on the premises, being hoisted (or broken) on their arrival and lowered following their departure. The Royal Standard takes precedence over all other flags in the United Kingdom, including the Union Flag.<sup>9</sup>

In 2008 a Private Member's [Union Flag Bill](#) was presented by Andrew Rosindell MP under ten minute procedure. The Bill provided a formal definition of the composition of the Union

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<sup>1</sup> The first version of this Note was prepared by Kevin Williams in 2008.

<sup>2</sup> [House of Commons Debate, 30 March 2006, Written answers, c1157W](#)

<sup>3</sup> Belfast City Council, Policy on the Flying of the Union Flag: Equality Impact Assessment Draft Report for Consultation June 11<sup>th</sup> 2012, p.13

<sup>4</sup> Telegraph article: [Gordon Brown flies Union flag all year long](#)

<sup>5</sup> [Black Rod](#)- Senior officer in the House of Lords responsible for security, controlling access to and maintaining order within the House and its precincts

<sup>6</sup> [Flag Institute, Press Release 22 March 2011](#)

<sup>7</sup> [Flag Institute: A Guide to Britain's Flag Protocol](#)

<sup>8</sup> [Flag Institute: A Guide to Britain's Flag Protocol](#)

<sup>9</sup> [Flag Institute: A Guide to Britain's Flag Protocol](#)

Flag as the official flag of the United Kingdom of Great Britain and Northern Ireland. It confirmed proportions of the flag and how it should be flown.

Private Member's Bills under ten minute procedure are unlikely to become legislation due to lack of time for debate after introduction. This Bill did not become an Act. However, the Flag Institute prepared a reworded version of the Union Flag Bill giving a full and accurate interpretation, together with a line drawing and a colour picture of the national flag, which is available from the Flag Institute's website.<sup>10</sup>

## 1.1 The Governance of Britain green paper

The green paper, *The Governance of Britain*, was published on 3 July 2007.<sup>11</sup> It contained a broad set of proposals for constitutional reform, including the need for consultation on altering the current guidance issued for the flying of the Union Flag from UK Government buildings.

The DCMS launched its consultation on altering the guidance for flying the Union Flag from UK Government buildings on 25 July 2007.<sup>12</sup> The summary of the responses was published on 25 March 2008 in *The Governance of Britain- Analysis of Consultations* paper.<sup>13</sup>

Over 60 per cent of the respondents wanted the Union Flag flown on all UK Government buildings all of the time. During the consultation period, UK Government department buildings were given the freedom to fly the Union Flag whenever they wish. This has been made permanent following the results of the consultation and new flag flying guidance referred to in the white paper, issued by the Department for Culture, Media and Sport (DCMS)

366. The consultation responses provided general support for the Government's limited flag flying proposal, and also generated a wide range of other comments and suggestions about the use of the Union Flag. While considering some of these further, the flag flying guidance will be revised to

- make permanent the freedom for UK Government departments to fly the Union Flag on their buildings when they wish, and
- Allow Whitehall UK Government buildings with two or more flag poles to fly the flags of Scotland and Wales on their patron saints' days.<sup>14</sup>

The consultation did not apply to buildings of the Scottish Government, the Scottish Parliament, Welsh Government and the National Assembly for Wales. These bodies have developed their own guidance for their own flags.

It should also be noted that, unlike, for example, the United States, burning or defacing the Union Flag in public is not a specific offence. However, such actions may be relevant in the context of a possible public order offence, under section 5 of the *Public Order Act 1986* or arson under the *Criminal Damage Act 1971*.

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<sup>10</sup> [Flag Institute: Union Flag Bill 2007-2008](#) ; Union Flag Bill 2007-2008: [Progress of the Bill](#)

<sup>11</sup> [The Governance of Britain](#), 3 July 2007, Cm 7071

<sup>12</sup> [The Governance of Britain](#), 3 July 2007, (CM 7170)

<sup>13</sup> [Governance of Britain- Analysis of Consultations](#), 25 March 2008

<sup>14</sup> [Governance of Britain- Analysis of Consultations](#), 25 March 2008



## 1.2 Guidance for local authorities, individuals and organisations

Under the *Town and Country Planning (Control of Advertisements) (England) Regulations 2007*, for planning permissions, flags are treated as a form of advertising.<sup>15</sup>

In January 2012 the Department for Communities and Local Government (DCLG) published a discussion paper aimed to liberalise the regime for flying flags and to widen the types of flags which may be flown in England.

The proposals in the discussion paper included:

- to extend the categories of flags that do not require consent;
- extend the scope of those that can be flown with deemed consent, and
- make changes to the conditions and limitations for flags that have deemed consent.<sup>16</sup>

A total of 54 responses were received, with the majority welcoming the Government's proposals to liberalise the flag flying regime.<sup>17</sup> A number of additional suggestions for improvement were also put forward and those to be incorporated in the new Regulations were:

- The flags of Saint David and Saint Patrick. These are not in use as national flags and therefore cannot be flown under the current paragraph (a) of Class H of Schedule 1 to the 2007 Regulations. The flags of Saint George and Saint Andrew are recognised as the national flags of England and Scotland and can be flown at present without consent (and this will continue to be the case under the amended Regulations).
- Adding the Armed Forces Day Flag.
- Greater clarity regarding the description of Civil and Military Ensigns (paragraph 16, bullet 1 of discussion paper) by including Civil and Civil Air Ensigns within the category of national flags, and adding a category for the flags and ensigns of HM armed forces.
- The category for current and historic UK area flags has been more clearly defined as:
  - The flag of any island, county, district, borough, burgh, parish, city, town or village within the United Kingdom; and
  - The flag of the Black Country, East Anglia, Wessex, any Part of Lincolnshire, any Riding of Yorkshire or any historic county within the United Kingdom.
- Allowing for the use of the black mourning ribbon where a flag cannot be flown at half-mast (e.g. on an angled flagstaff).<sup>18</sup>

In November 2012 the Department for Communities and Local Government published a [\*Plain Guide to flying flags\*](#) which provides a summary of new liberalised regulations. According to those, the flags were divided into three categories:

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<sup>15</sup> [The Town and Country Planning \(Control of Advertisements\) \(England\) Regulations 2007](#)

<sup>16</sup> [Liberalising the regime for flying flags: Discussion paper, p. 2](#)

<sup>17</sup> [Liberalising the regime for flying flags: Discussion paper, p. 3](#)

<sup>18</sup> [Liberalising the regime for flying flags: Discussion paper, p.4](#)

- (a) flags which can be flown without consent of the local planning authority,
- (b) flags which do not need consent provided they comply with further restrictions (referred to as “deemed consent” in the Regulations) and
- (c) flags which require consent (“express consent”)<sup>19</sup>

The current full list of flags that do not require consent is presented below:

- (a) Any country’s national flag, civil ensign or civil air ensign;
- (b) The flag of the Commonwealth, the European Union, the United Nations or any other international organisation of which the United Kingdom is a member;
- (c) A flag of any island, county, district, borough, burgh, parish, city, town or village within the United Kingdom;
- (d) The flag of the Black Country, East Anglia, Wessex, any Part of Lincolnshire, any Riding of Yorkshire or any historic county within the United Kingdom;
- (e) The flag of Saint David;
- (f) The flag of Saint Patrick;
- (g) The flag of any administrative area within any country outside the United Kingdom;
- (h) Any flag of Her Majesty’s forces;
- (i) The Armed Forces Day flag

The above flags or their flagpoles must not display any advertisement or subject matter additional to the design of the flag, but the Regulations now highlight that you can attach a black mourning ribbon to either the flag or flagpole where the flag cannot be flown at half mast, for example, when flying a flag on a flagpole projecting at an angle from the side of a building. The use of the word “country” in (a) and (g) of the list above, includes any of the Channel Islands, the Isle of Man and any British Overseas Territory. The flags of St George and St Andrew are recognised as the national flags of England and Scotland, but the flags of St David and St Patrick are listed separately as they do not necessarily fall into the category of a country’s national flag.<sup>20</sup>

The Department for Communities and Local Government has acknowledged the importance of counties in the nation’s cultural heritage. In October 2010 the new Secretary of State Eric Pickles asked that English county standards be flown alongside the Union Flag outside the Department’s Eland House headquarters in Victoria. Flags are being flown for a week at a time in alphabetical order or - in cases such as Cornwall and Yorkshire - to coincide with particular county days.<sup>21</sup> The Department is also required to fly the European Union flag during Europe Week (w/c 9 May) under *Article 7(2) of EC Regulation 1828/2006*.<sup>22</sup>

## 2 National flags of the United Kingdom

### 2.1 The United Kingdom

The Union Flag, commonly known as the Union Jack, is the national flag of the United Kingdom of Great Britain and Northern Ireland. The original Union Flag was introduced in 1606 as a maritime flag and in 1634, a Royal Proclamation laid down that the Union Flag was reserved for His Majesty’s Ships of War.<sup>23</sup>

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<sup>19</sup> Plain English guide to flying flags, p.1

<sup>20</sup> Plain English guide to flying flags, p.2

<sup>21</sup> <https://www.gov.uk/government/news/buckinghamshire-flag-to-fly-at-department-for-communities-and-local-government>

<sup>22</sup> Official Journal of the European Union: COMMISSION REGULATION (EC) No 1828/2006

<sup>23</sup> Flags of the World, Edited by E.M.C. Barraclough, Frederick Warne & Co Ltd London, England, p. 23

When the 'Union Jack' was first introduced in 1606, it was known simply as 'the British flag' or 'the flag of Britain'.<sup>24</sup> The term 'Jack' was first used in the British Navy to describe the Union Flag that was at that time flown at the main masthead. At the end of the seventeenth century the term 'Jack' was already firmly established.<sup>25</sup>

Variations of the Union Flag have existed since the beginning of the 17<sup>th</sup> century when the crowns of England and Scotland were joined together under King James I (James VI of Scotland) in 1603. The *Union with Scotland Act 1706* gave statutory force to the Treaty of Union between England and Scotland. Article 1 provided for the design of flags incorporating the symbols of both constituent kingdoms:

That the two Kingdoms of *England* and *Scotland* shall upon the first Day of *May* which shall be in the Year one thousand seven hundred and seven, and for ever after, be united into one Kingdom by the Name of *Great Britain*; and that the Ensigns Armorial of the said united Kingdom be such as her Majesty shall appoint, and the crosses of *St. George* and *St. Andrew* be conjoined in such Manner as her Majesty shall think fit, and used in all Flags, Banners, Standards and Ensigns, both at Sea and Land.

The *Union with Ireland Act 1800* gave effect to the Articles of Union. Article 1 referred to flags and stated the following:-

...that the said Kingdoms of *Great Britain* and *Ireland* shall, upon the first Day of *January* which shall be in the Year of our Lord one thousand eight hundred and one, and for ever after, be united into one Kingdom, by the name of *The United Kingdom of Great Britain and Ireland*; and that the Royal Stile and Titles appertaining to the Imperial Crown of the said United Kingdom and its Dependencies, and also the Ensigns, Armorial Flags and Banners thereof, shall be such as his Majesty, by his Royal Proclamation under the Great Seal of the United Kingdom, shall be pleased to appoint.

The design of the new flag, incorporating the crosses of St. George, St. Andrew and St. Patrick, was set out in a Royal Proclamation, dated 1 January 1801. The Union Flag is thus 'made up of the crosses of St George, St Andrew, and St Patrick, respectively the patron saints of England, Scotland, and Ireland, and it was first flown on 1 January 1801'.<sup>26</sup>

It is often stated that the Union Flag should only be described as the Union Jack when flown in the bows of a warship, but this is a relatively recent idea. From early in its life the Admiralty itself frequently referred to the flag as the Union Jack, whatever its use, and in 1902 an Admiralty Circular announced that Their Lordships had decided that either name could be used officially. Such use was given Parliamentary approval in 1908 when it was stated that "the Union Jack should be regarded as the National flag".<sup>27</sup>

Following the *Anglo-Irish Treaty* of 1922, the Irish Free State came into being, which had the status of a self-governing dominion within the British Empire. It adopted the tricolour flag (green, white and orange). In 1949, the Irish Free State became The Republic of Ireland and kept the tricolour flag. Northern Ireland remained part of the United Kingdom and continued to use the Union Flag. The *Royal and Parliamentary Titles Act 1927* officially changed the name of the United Kingdom Parliament to reflect the change that had occurred with the

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<sup>24</sup> [The Flag Institute: The Union Jack or the Union Flag?](#)

<sup>25</sup> *Flags of the World*, Edited by E.M.C. Barraclough, Frederick Warne & Co Ltd London, England, p. 12

<sup>26</sup> N Groom, *The Union Jack – The story of the British Flag*, 2006, p xiii

<sup>27</sup> [The Flag Institute: The Union Jack or the Union Flag?](#)

creation of the Irish Free State in 1922. The *Parliament of the United Kingdom of Great Britain and Ireland* changed to the *Parliament of the United Kingdom of Great Britain and Northern Ireland*. The United Kingdom had therefore officially changed its name but there was no change to the Union Flag.

## 2.2 England

The national flag of England is the cross of St George. The white flag has a red upright cross throughout and was originally used in 1191.<sup>28</sup> St George has been the patron saint of England since the 13<sup>th</sup> century but prior to this, St Edward the Confessor, King of England from 1042-1066 was widely regarded as the patron saint of England. Edward III established the Order of the Garter in 1348, which was dedicated to St Edward the Confessor and St George. The insignia of the Order have developed over the centuries, starting with a garter and badge depicting St George and the Dragon. A collar was added in the sixteenth century, and the star and broad riband in the seventeenth century.<sup>29</sup>

St George is also the patron saint of soldiers and the cross of St George was worn by Knights of the Garter and soldiers alike as they went into battle.<sup>30</sup> The cross of St George thus became widely used as a patriotic symbol.

St George's Day takes place on 23 April each year, and under the current guidance, the cross of St George may be flown from UK Government buildings in England where a building has two or more flagstaffs, but it cannot be flown in a superior position to the Union Flag.<sup>31</sup> Only if a UK Government building has more than one flag pole, can the cross of St George be flown. The Union Flag takes precedence over all national flags and the cross of St George is not flown on any other days.

## 2.3 Scotland

The national flag of Scotland is the cross saltire of St Andrew (also known as the Saltire). The cross saltire of St Andrew consists of a white cross on a blue background. St Andrew has been the patron saint of Scotland since the early part of the 12<sup>th</sup> century. St Andrew's Day takes place on 30 November each year and under the current guidance, the cross of St Andrew may be flown from UK Government buildings on St Andrew's Day where a building has two or more flag poles but it cannot be flown in a superior position to the Union Flag.<sup>32</sup>

The flag flying policy in Scotland is a matter for a devolved administration. The SNP has been in favour of greater use of the Saltire in Scotland for some years. The Scottish Parliamentary Corporate Body (SPCB) is responsible for the administration of the Scottish Parliament. The Corporate Body reviewed its flag flying policy and adopted the following guidance at a meeting held on 23 November 2004:

The SPCB reviewed the current policy on flag flying in light of the move to Holyrood. It was noted that the flag poles were demountable so the number of flags being flown could be varied. It was proposed that 3 flags would be flown daily - the Union flag, the

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<sup>28</sup> Complete Flags of the World, Dorling Kindersley Limited, London 2005, p. 128

<sup>29</sup> The official website of the British Monarchy: [Order of the Garter](#)

<sup>30</sup> Flags of the World, Edited by E.M.C. Barraclough, Frederick Warne & Co Ltd London, England, p. 20

<sup>31</sup> DCMS – Days for hoisting flags on government buildings. Available at: <https://www.gov.uk/designated-days-for-union-flag-flying#more-like-this>

<sup>32</sup> DCMS – Days for hoisting flags on government buildings. Available at: <https://www.gov.uk/designated-days-for-union-flag-flying#more-like-this>

Saltire and the EU flag. The 4th flag pole would be used on occasions of visiting dignitaries e.g. Heads of State, heads of Government and officially invited guests. The 4th flag pole would also be used on certain international days that are officially recognised by the Parliament e.g. Commonwealth Day, United Nations Day. The 5th flag pole would only be required for the Royal Standard during a visit by Her Majesty The Queen or during a State visit i.e. when a Head of State visits and is accompanied by a member of the Royal Family.<sup>33</sup>

The Scottish Government revised its guidance regarding flag flying policy in Scotland in 2006 to require the flying of the Saltire each day from Executive buildings and the flying of the Union flag on designated flag days<sup>34</sup>

According to the guidance issued by the Scottish Government in January 2013, the Saltire should be flown every day from Scottish Government buildings. The Union Flag will take precedence on designated days. On these days the Union Flag will fly with Saltire if the building has two or more flag poles. If there is only one flag pole, the Saltire should be lowered and replaced with the Union flag for that day only.<sup>35</sup>

## 2.4 Wales

The national flag of Wales is the Red Dragon (Y Ddraig Goch) and it was officially adopted in 1959.<sup>36</sup> It consists of two equal horizontal stripes, white above green, and a large red dragon passant. The dragon standard was traditionally associated with the Tudors.

St David is the patron saint of Wales and St David's flag consists of a gold cross on a black background. Unlike the other parts of the United Kingdom, Wales does not use the flag of its patron saint as its national flag. St David's Day takes place on 1 March each year and under the current guidance, the Red Dragon may be flown from UK Government buildings on St David's Day where a building has two or more flagstaffs but it cannot be flown in a superior position to the Union Flag.<sup>37</sup>

Wales has no direct representation on the Union Flag. After the military campaigns in Wales by King Edward I of England in 1282, Edward conferred upon his eldest son and heir the title Prince of Wales, making Wales a principality, not a kingdom.<sup>38</sup> The union of England and Wales was brought about by the *Wales Act 1536* during the reign of Henry VIII and there was no statute similar to the *Union with Scotland Act 1706* where the flags of two kingdoms formed the new flag of the Kingdom of Great Britain.

Currently, the National Assembly for Wales building flies the Union flag, the Red Dragon and the European Flag on a daily basis.<sup>39</sup> The Protocol on the flying of flags at the National Assembly for Wales (included in the Appendix B of this standard note) says:

The National Assembly for Wales has:

- four main flagpoles between the Senedd and the Pierhead in Cardiff Bay;

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<sup>33</sup> Scottish Parliamentary Corporate Body. Minutes of meeting held on 23 November 2004.

<sup>34</sup> Belfast City Council, Policy on the Flying of the Union Flag: Equality Impact Assessment Draft Report for Consultation June 11<sup>th</sup> 2012, p.13

<sup>35</sup> [Days for hoisting flags on Buildings of the Scottish Government 2013](#)

<sup>36</sup> Complete Flags of the World, Dorling Kindersley Limited, London 2005, p. 129

<sup>37</sup> DCMS – Days for hoisting flags on government buildings. Available at: <https://www.gov.uk/designated-days-for-union-flag-flying#more-like-this>

<sup>38</sup> Groom, Nick, The Union Jack: The Story of the British Flag, (Atlantic Books London 2006), p.110

<sup>39</sup> Belfast City Council, Policy on the Flying of the Union Flag: Equality Impact Assessment Draft Report for Consultation June 11<sup>th</sup> 2012, p.13

- four flagpoles outside Tŷ Hywel in Cardiff Bay; and
- four flagpoles outside the office in Colwyn Bay.

The following flags are flown every day unless other arrangements have been agreed in accordance with this protocol:

- European Union;
- Union Jack;
- Y Ddraig Goch;
- National Assembly for Wales.

In February 2013 the National Assembly for Wales marked the Lesbian, Gay, Bisexual and Transgender (LGBT) History Month by flying the rainbow flag above its estate in Cardiff Bay and Colwyn Bay.<sup>40</sup>

According to the information provided by the Welsh Government, all properties with flagpoles in the Welsh Government administrative estate fly the Union Flag, Red Dragon and European Union flag. On the building at Cathays Park, Cardiff the flags are flown on weekdays and lowered at night. Additionally the flags are flown on a Saturday or Sunday to mark designated flag flying days. On other buildings the flags are flown at all times.

## 2.5 Northern Ireland

The flying of flags in Northern Ireland has remained a highly contentious issue. St Patrick is the patron saint of Ireland and was already revered as the national saint as early as in the mid-seventh century.<sup>41</sup> However, the origins of the cross of St Patrick are not clear. Although St Patrick was the Patron Saint of Ireland, he was not a martyr and so was not entitled to a cross as his badge.<sup>42</sup>

The cross saltire of St Patrick consists of a red cross on a white background. The red saltire originated in the arms of the powerful family the Geraldines of Kildare.<sup>43</sup> The Irish have never used this cross as a national emblem and Ireland's traditional badge is either the shamrock or the golden harp.<sup>44</sup> Nevertheless, in the seventeenth century the cross of St Patrick was evidently recognized as the flag of a united Ireland, and it is therefore the oldest such standard- centuries older than the Tricolour, and even older than the harp flag, although the harp was already a national emblem of Ireland.<sup>45</sup> St Patrick's flag was superimposed upon the flags of St George and St Andrew to create the Union Flag in 1801. St Patrick's Day takes place on 17 March each year but St Patrick's flag is not commonly used throughout Ireland.

Currently, the arrangements for the flying of the Union flag from government buildings in Northern Ireland are set out by the *Flags Regulations (NI) 2000*, as amended by the *Flags Regulation (NI) (Amendment) 2002*. A building is a government building for this purpose if it is wholly or mainly occupied by members of the Northern Ireland Civil Service.<sup>46</sup>

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<sup>40</sup> [The National Assembly for Wales: Flying the Flag for LGBT Equality](#)

<sup>41</sup> Groom, Nick, *The Union Jack: The Story of the British Flag*, (Atlantic Books London 2006), p.102-3

<sup>42</sup> *Flags of the World*, Edited by E.M.C. Barraclough, Frederick Warne & Co Ltd London, England, p. 22

<sup>43</sup> Groom, Nick, *The Union Jack: The Story of the British Flag*, (Atlantic Books London 2006), p.201

<sup>44</sup> *Flags of the World*, Edited by E.M.C. Barraclough, Frederick Warne & Co Ltd London, England, p. 22

<sup>45</sup> Groom, Nick, *The Union Jack: The Story of the British Flag*, (Atlantic Books London 2006), p.110

<sup>46</sup> [The Flags Regulations \(Northern Ireland\) 2000](#) ( Explanatory Note)



These Orders allow the Secretary of State to make regulations on the flying of flags on Government buildings in Northern Ireland after consulting the Northern Ireland Assembly.

Article 2(1) of the regulations state that ‘the Union Flag shall be flown at the government buildings specified in Part I of the Schedule to these Regulations on the days specified in Part II of the Schedule’.<sup>47</sup> Part I of the Schedule is a list of specified government buildings on which the Union Flag must be flown and Part II of the Schedule refers to the days on which the Union Flag must be flown (see Appendix A). The flying of flags at government buildings, otherwise stated in the Regulations, is prohibited (Article 9).<sup>48</sup>

The *Justice (Northern Ireland) Act 2002* contains a provision to include court-houses in the definition of government buildings within the Regulations:

**67 Flying of flags at court-houses**

(1) In Article 3(1) of the *Flags (Northern Ireland) Order 2000* (SI 2000/1347 (NI 3)) (power to make regulations about the flying of flags at government buildings), insert at the end “and court-houses”.

(2) The *Flags Regulations (Northern Ireland) 2000* (S.R.2000 No 347) (which were made in the exercise of that power) apply in relation to court-houses as they apply in relation to the government buildings specified in Part 1 of the Schedule to the Regulations (but subject to any amendment which may be made to the Regulations in the further exercise of that power).

Currently, there are 21 courthouses subject to the flying of the Union flag on designated days.<sup>49</sup>

On 8 May 2007, devolution was restored to Northern Ireland with the formation of an Executive. Since devolution, the issue of flags has been jointly dealt with by the Northern Ireland Office and the devolved administration, and the 2000 Order and Regulations remain in force.

On 7 December 2012, during the Question Debate on *Parliament Buildings: Flags* in the Northern Ireland Assembly, the representative of the Assembly Commission, Mr Patrick Ramsey, said:

The arrangements for the flying of the Union flag from government buildings in Northern Ireland are set out by the Flags Regulations (NI) 2000, as amended by the Flags Regulation (NI) (Amendment) 2002. The Northern Ireland Assembly Commission follows these Regulations.<sup>50</sup>

When asked whether the same dimensions of Union Flag are flown from the two flagpoles on Parliament Buildings on each of the designated days, Mr P. Ramsey replied:

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<sup>47</sup> The Flags Regulations (Northern Ireland) 2000. Available at: [http://www.opsi.gov.uk/sr/sr2000/nisr\\_20000347\\_en.pdf](http://www.opsi.gov.uk/sr/sr2000/nisr_20000347_en.pdf)

<sup>48</sup> The Flags Regulations (Northern Ireland) 2000. Available at: [http://www.opsi.gov.uk/sr/sr2000/nisr\\_20000347\\_en.pdf](http://www.opsi.gov.uk/sr/sr2000/nisr_20000347_en.pdf)

<sup>49</sup> Written answers to questions (Hansard), Friday 1 March 2013, Volume 82, WA422 (AQW 20105/11-15)

<sup>50</sup> Written Answers to Questions (Hansard), Friday 7 December 2012, Volume 80, WA170 (AQW 17085/11-15)

When the Union flag is to be flown at Parliament Buildings, a decision is made prior to hoisting the flag, as to which of two sizes of flags is to be used, i.e. a full size flag (dimensions: 12 ft x 6 ft) or a 'storm' flag (dimensions: 7 ½ ft x 3 ¾ ft). The decision is subjective and is based upon prevailing weather conditions. In poor weather, as was the case on 20 November 2012, two storm flags are normally flown. Health and safety must also be a consideration, as in strong winds or wet weather, a full size flag may break the flagpole and present a risk to persons below.<sup>51</sup>

The guidance for hoisting flags on government buildings in Northern Ireland for the year 2013 is as follows:

**DAYS FOR HOISTING FLAGS ON GOVERNMENT BUILDINGS IN NORTHERN IRELAND IN ACCORDANCE WITH THE FLAGS REGULATIONS (2013)**

20 January - Birthday of the Countess of Wessex  
6 February - Her Majesty's Accession  
19 February - Birthday of the Duke of York  
10 March - Birthday of the Earl of Wessex  
11 March - Commonwealth Day#  
17 March - St Patrick's Day  
21 April - Birthday of Her Majesty the Queen  
9 May - Europe Day  
2 June - Coronation Day  
10 June - Birthday of the Duke of Edinburgh  
15 June - The Queen's Official Birthday\*  
15 August - Birthday of the Princess Royal  
10 November - Remembrance Sunday\*\*  
14 November - Birthday of the Prince of Wales  
20 November - Anniversary of Her Majesty's Wedding

NOTE: # Commonwealth Day is the second Monday in March

\* The day appointed for the official celebration of Her Majesty's Birthday

\*\* Remembrance Sunday is the second Sunday in November. Flags should be flown right up all day and not at half mast.

Dates confirmed by publication in the Belfast Gazette on Friday 25 January 2013.

ON THE ABOVE DAYS FLAGS SHOULD FLY FROM 8AM UNTIL SUNSET<sup>52</sup>

The guidance on the flying of the Union flag issued by the Equality Commission for Northern Ireland in 2009 stated:

"the flying of the Union flag must be viewed in the context in which it is flown or displayed. Factors affecting the context include the manner, location and frequency with which flag are flown. The Union flag is the national flag of the United Kingdom and, arising there from, has a particular status symbolising the constitutional position of Northern Ireland. On the other hand, the Union flag is often used to mark sectional community allegiance. There is a world of difference between these two approaches. Thus, for example, while it is acceptable and appropriate, in the Commission's view, for a local Council to fly the Union flag at its Civic Headquarters, the rationale for its display at every Council location, facility and leisure centre would be questionable."<sup>53</sup>

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<sup>51</sup> Written Answers to Questions(Hansard), Friday 7 December 2012, Volume 80, WA171(AQW 17103/11-15)

<sup>52</sup> DAYS FOR HOISTING FLAGS ON GOVERNMENT BUILDINGS IN NORTHERN

<sup>53</sup> Equality Commission for Northern Ireland: Promoting a Good & Harmonious Working Environment, A Guide for Employers and Employees , October 2009



Equality Impact Assessment (EQIA) on the policy on the flying of the Union flag on Belfast Council properties was agreed to in October 2002 following a complaint made under the Council's Equality Scheme. After a widespread formal consultation carried out in the autumn of 2003, the Council agreed, at its meeting on 4 May 2004, not to make any change to its current policy.<sup>54</sup>

On 17 June 2011 the Strategic Policy and Resources Committee agreed that the EQIA should be updated to facilitate a further review of the current policy.<sup>55</sup>

The consultation process during which the Belfast ratepayers had the opportunity to put forward their views on flying the Union flag at Belfast City Council owned property and on displays within the City Hall and its grounds was announced to last between 11 June 2012 and 1 October 2012.<sup>56</sup>

Responses were received as follows:

- individual written responses from three organisations (the Equality Commission, the Community Relations Council and the Consular Association of Northern Ireland);
- 879 written responses from members of the public (577 of which were completed questionnaires);
- a petition containing 14,740 signatures;
- comments made by the 3 members of the public and 2 organisations who attended the public meetings;
- completed questionnaires from 1038 members of staff.<sup>57</sup>

The Draft EQIA Report concluded that it would appear that the range of policy options open to the Council in respect of the City Hall which best promote good relations are – in descending order of effectiveness:

- Designated flag days only;
- Designated flag days plus specified additional days;
- No flag or a neutral flag;
- Two flags.<sup>58</sup>

On 3 December 2012, Belfast City Council voted to fly the union flag at City Hall only on designated days. The motion was put forward by the Alliance Party. The decision led to protests and demonstrations by loyalists.

A DUP MLA, Peter Weir put forward a proposal to change the flag flying days at the Assembly to the Assembly Commission in December 2012, but the Commission did not take a decision at that stage.<sup>59</sup>

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<sup>54</sup> Policy on the Flying of the Union Flag, Equality Impact Assessment – Final Decision Report, 13 November 2012

<sup>55</sup> Policy on the Flying of the Union Flag, Equality Impact Assessment – Final Decision Report, 13 November 2012

<sup>56</sup> [Belfast ratepayers' views sought on Union flag and City Hall displays](#)

<sup>57</sup> Policy on the Flying of the Union Flag, Equality Impact Assessment – Final Decision Report, 13 November 2012

<sup>58</sup> Policy on the Flying of the Union Flag, Equality Impact Assessment – Final Decision Report, 13 November 2012

<sup>59</sup> [BBC News \(Q&A: Northern Ireland flag protests\)](#)

## Appendix A: Days for Hoisting Flags on Government Buildings

Dates for Hoisting Flags on UK Government Buildings in 2013

9 January	Birthday of The Duchess of Cambridge
20 January	Birthday of The Countess of Wessex
6 February	Her Majesty's Accession
19 February	Birthday of The Duke of York
1 March	St David's Day (in Wales only, see note 1)
10 March	Birthday of The Earl of Wessex
11 March	Commonwealth Day (second Monday in March)
17 March	St. Patrick's Day (in Northern Ireland only, see note 5)
21 April	Birthday of Her Majesty The Queen
23 April	St George's Day (in England only, see note 1)
9 May	Europe Day (see note 4)
2 June	Coronation Day
10 June	Birthday of The Duke of Edinburgh
15 June	Official Celebration of Her Majesty's Birthday
21 June	Birthday of The Duke of Cambridge
17 July	Birthday of The Duchess of Cornwall
15 August	Birthday of The Princess Royal
10 November	Remembrance Day (second Sunday in November, see note 2)
14 November	Birthday of The Prince of Wales
20 November	Her Majesty's Wedding Day

30 November	St Andrew's Day (in Scotland only, see note 1)
Also	The day of the opening of a Session of the Houses of Parliament by Her Majesty (see note 3) The day of the prorogation of a Session of the Houses of Parliament by Her Majesty (see note 3)

**If The Queen is to be present in a building, you should get in touch with:**

The Department for Culture, Media and Sport  
2-4 Cockspur Street  
London SW1Y 5DH  
Telephone 020 7211 2307

**Notes**

1. Where a building has two or more flag poles the appropriate national flag may be flown in addition to the Union Flag but not in a superior position. UK Government buildings within the wider Whitehall area may fly the national flags alongside the Union Flag on their appropriate saint days.
2. Flags should be flown at full mast all day.
3. Flags should be flown on this day even if Her Majesty does not perform the ceremony in person. Flags should only be flown in the Greater London area.
4. The Union Flag should fly alongside the European Flag. On UK Government buildings that only have one flagpole, the Union Flag should take precedence.
5. The Union Flag only should be flown.<sup>60</sup>

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<sup>60</sup> [Department for Culture, Media and Sport](#)

## **Appendix B: Assembly Commission: Protocol on the flying of flags at the National Assembly for Wales November 2011**

### **1.0 Purpose of protocol**

1.1 The purpose of this protocol is to:

- outline the usual arrangements for the displaying of flags;
- provide a record of established precedents;
- clarify the appropriate procedure should a request for the flying of a specific guest flag or flags be received;
- Clarify the procedure for flying the flags at half mast.

### **2.0 Usual arrangements**

2.1 The National Assembly for Wales has:

- four main flagpoles between the Senedd and the Pierhead in Cardiff Bay;
- four flagpoles outside Tŷ Hywel in Cardiff Bay; and
- four flagpoles outside the office in Colwyn Bay.

2.2 The following flags are flown every day unless other arrangements have been agreed in accordance with this protocol:

- European Union
- Union Jack
- Y Ddraig Goch
- National Assembly for Wales

### **3.0 Variations in flags**

3.1 There are some established arrangements for variance in the flags displayed at the Assembly. These are outlined below:

- **Annual days**

A precedent for flying specific flags on identified days annually has been established by the Assembly. Annex A identifies these dates.

- **Official Visits**

Precedent has also been established for the flying of specific flags when the Assembly is welcoming particular visitors, including the British royal family and heads of state and government. The flags to be displayed during official visits are identified in Annex A.

- **Other circumstances**

At the Presiding Officer's discretion, flags other than those identified in Annex A may be displayed. Requests should be made to the private office.

## **4.0 Half mast**

- 4.1 In circumstances of local or national mourning, the Presiding Officer may call for a period of silence in the first Plenary following the event, and may invite tributes and condolences from relevant parties as appropriate. In such circumstances all flags displayed by the Assembly may be flown at half mast as outlined below.
- 4.2 In circumstances of local mourning, at the Presiding Officer's discretion, flags may be flown at half mast on the day that the death is announced, and/or on the day that the period of silence or condolences are expressed in Plenary and/or on the day of the funeral. Such circumstances may include, but are not limited to:
- the death of a serving or retired Assembly Member,
  - the death of a distinguished serving or retired senior politician; or
  - exceptional circumstances particular to Wales.
- 4.3 In circumstances of national mourning, such as the death of senior members of the royal family, flags will be flown at half mast from the day of death until sunset on the day of the funeral.
- 4.4 The UK Government's Department of Culture, Media and Sport may contact the Assembly to request that flags be flown at half mast, although the final decision as to whether the Assembly is in local or national mourning, and whether flags should be flown at half mast, rests with the Presiding Officer.
- 4.5 Flags at half mast should be flown two-thirds of the way up the flagpole, with at least the height of the flag between the top of the flag and the top of the flagpole.

## **5.0 Procedure**

- 5.1 Enquiries about flags displayed at the National Assembly should be directed to the Presiding Officer's private office. All enquiries and requests will be dealt with in accordance with this protocol. All decisions on the flying of flags will be taken by the Presiding Officer. The Security Team will act on the instructions of the Presiding Officer, both initially and in terms of when to return the flags to the usual arrangements
- 5.2 Requests to vary the flags flown at the Assembly should be submitted at least one month in advance and should include details of which flag is to be flown, why it is appropriate for the Assembly to fly the guest flag and on which date(s) the guest flag is to be flown. The final decision on which flags may be displayed and when rests with the Presiding Officer.
- 5.3 Guest flags will normally replace the Assembly's own flag on the main flagpoles, although the final decision on this rests with the Presiding Officer.
- 5.4 The International Relations team hold a stock of flags. Any flags which are not on this list must be provided by the organisation or individual who has made the request. The provider of the flag is responsible for ensuring that the flag is provided to the Assembly in advance and collected in a timely fashion. They must also ensure that the flag provided is of a similar standard, quality and size as those usually displayed. All flags displayed by the Assembly must be clean and in good repair. If the flags provided do not meet these requirements, a decision not to fly it may be taken.



















## Appendix C: Days for hoisting flags on buildings of the Scottish Government 2013

Issue No. 17 (Valid from January 2013)

From 8am till sunset

Date	Event	Flag to be flown (See Key Below)
9 January	Birthday of The Countess of Strathearn (Kate Middleton)	A
20 January	Birthday of The Countess Of Wessex	A
6 February	Anniversary of The Queen's Accession	A
19 February	Birthday of The Duke of York	A
10 March	Birthday of The Earl of Wessex	A
11 March	Commonwealth Day (see note 1)	A
21 April	Birthday of Her Majesty The Queen	A
28 April	International Workers Memorial Day	F
9 May	Europe Day (see note 2)	E
2 June	Anniversary of Coronation Day	A
10 June	Birthday of The Duke of Edinburgh	A
15 June	Official Celebration of Her Majesty's Birthday (see note 3)	A
21 June	Birthday of the Earl of Strathearn (Prince William)	A
29 June	Armed Forces Day	G
17 July	Birthday of The Duchess of Rothesay	A
15 August	Birthday of The Princess Royal	A
3 September	Merchant Navy Day (see note 2)	D
10 November	Remembrance Day (see note 4)	A
14 November	Birthday of The Duke of Rothesay	A
20 November	Anniversary of Her Majesty's Wedding Day	A
30 November	St. Andrew's Day	B

Key:

A:	Union flag, with Saltire if building has two or more flag poles. If there is only one flag pole, the Saltire should be lowered and replaced with the Union flag - for that day only. (SAH, as the principal SG building, may fly the Royal Banner (superior) and the Saltire by Royal assent.)	   
B:	Saltire, or two Saltires if building has two or more flag poles. (SAH, as the principal SG building, may fly the Royal Banner (superior) and the Saltire by Royal assent.)	   
C:	Commonwealth flag if building has one flag pole. Commonwealth flag and Saltire if building has two or more flag poles.	 
D:	Red Ensign if building has one flag pole. Red Ensign and Saltire if building has two or more flag poles.	 
E:	Europe flag if building has one flag pole. Europe flag and Saltire if building has two or more flag poles.	 
F:	On this day, the Saltire(s) should be hoisted right up and then lowered to half-mast for the day See rule 9(e)	 
G:	Armed Forces Day flag if building has one flag pole Armed Forces Day flag and Saltire if two or more flag poles Please note – the image is from 2009, the correct date is in the preceding list	 

Notes:

Usually the second Monday of the month. In 2013 the date is 11<sup>th</sup> March 2013.

On SG buildings that only have one flag pole; the European, Red Ensign, Commonwealth and Armed Forces Day flags should be flown. Where a building has two or more flag poles, the Saltire should also be flown.

Date advised annually (usually the second Saturday in June). In 2013 the date is 15<sup>th</sup> June 2013.

Usually the second Sunday of the month. In 2013 the date is 10<sup>th</sup> November 2013.  
Flags should be flown right up all day.

## ***Rules for hoisting flags on buildings of the Scottish Government***

Issue No. 17 (Valid from January 2013)

### **1. Review**

This issue of the Scottish Government Flag Flying Guidance is for current use only. It reflects some of the outcomes of a review of the guidance by the Protocol and Honours Team and agreed by the First Minister.

### **2. Extent of Application**

These guidelines apply to the Scottish Government, its related Agencies and associated Departments. Rules and dates on the flying of flags from all other Government buildings in the United Kingdom are distributed by the Department for Culture, Media and Sport, Architecture and Historic Environment Division, 2-4 Cockspur Street, London, SW1Y 5DH. (Tel: 020-7211-2381).

Local authority buildings and schools are not affected by these guidelines, the matter of flag flying remaining one for individual local authorities to determine. These rules and dates are not binding on any other public institutions, or members of the public. With the exception of the Royal Standard, which may not be flown without permission from The Queen, these other groups may fly any flag at any time, no weight of public authority being implied behind such flag flying.

### **3. Dates on Which Flags Are To Be Flown**

The Saltire should be flown every day from Scottish Government buildings, except where indicated otherwise in the accompanying Schedule.

Other flags are to be flown only on the dates named in the Schedule. For buildings with only one flag pole, on certain special national days (marked as "A" in the Schedule), the Saltire should be lowered and replaced – for that day only – with the Union flag, as it takes precedence.

The Protocol and Honours Team, Directorate for External Affairs, DG Strategy and External Affairs will inform the relevant authorities of any other occasions on which The Queen has given a special command to fly flags. Only on exceptional occasions would a flag (other than the Saltire) be flown on a day other than a listed day. Any requests to fly flags on exceptional occasions must be cleared in advance with the First Minister through the Protocol and Honours Team.

### **4. Flying of Other Flags**

The only flags that should be flown from Scottish Government buildings in Scotland are the Saltire, the Union flag, the European flag (Europe Day only), the Red Ensign (Merchant Navy Day only) the Commonwealth flag (Commonwealth Day only), The Armed Forces Day flag (Armed Forces Day only) and the Royal Standard at St Andrew's House (by Special Command or Royal Assent). Other flags, including those of other nations, should not be flown from Scottish Government buildings.

### **5. Superior Position**

This is the highest pole if there is one pole higher than the others. If there is an even number of flag poles of the same height the superior position is the left of centre flag pole viewed from the street (looking towards the front of the building). If there is an odd number of flag poles of the same height the superior position is the central pole.

### **6. How the European, Red Ensign, Commonwealth and Armed Forces Day Flags Should Be Flown**

On Scottish Government buildings that have only one flag pole, the European, Red Ensign, Commonwealth and Armed Forces Day Flags should be flown for that specific flag flying date only.



Where a building has two or more flag poles, these flags may be flown on the appropriate date in addition to the Saltire flag but not in a superior position. If a building has three flag poles, to avoid any doubt, the third pole should remain vacant.

#### 7. How the Union Flag should be flown

The broader diagonal white stripe should be at the top left hand side of the flag nearest the flag pole.

#### 8. Use of the Royal Banner

The Royal Banner of the Royal Arms of Scotland (the 'Lion Rampant') is The Queen's official banner in Scotland. Flags showing the Royal Banner or the Royal Arms as used in Scotland (the Quartered Arms) are Ensigns of Public Authority, and are therefore only used by The Sovereign or Her Great Officers, such as Lord Lieutenants, when acting in that capacity.

In his capacity as the Keeper of the Great Seal the First Minister may fly the Royal Banner of the Royal Arms of Scotland.

*If The Queen or any other member of The Royal Family is to be present in your building at any time, please contact the Protocol and Honours Team, Directorate for External Affairs, DG Strategy and External Affairs to make the necessary arrangements.*

#### 9. Flying of Flags at Half Mast

'Half mast' means that the flag is flown two-thirds up the flag pole.

The occasions on which flags are to be flown at half mast are:

- (a) from the announcement of the death up to the funeral of the Sovereign, both days inclusive.
- (b) the funerals of members of the Royal Family, subject to special commands in each case;
- (c) the funerals of foreign rulers, subject to special commands in each case;
- (d) the funerals of serving and ex-Prime Ministers of the United Kingdom, and the funerals of serving and former First Ministers of Scotland, subject to special commands in each case.
- (e) International Workers Memorial Day (28 April)

There is an exception within the timescale mentioned in 9(a), inasmuch flags will be flown at full mast from the time the Principal Proclamation of the New Sovereign is read in London until after Proclamations have been read in all the devolved administrations the following day. Official flags will then revert to half mast until the funeral.

#### 10. Rules When Days for Flying Coincide With Days for Flying at Half Mast

Flags are to be flown right up all day:

- (a) although a member of the Royal Family, or a near relative of the Royal Family, may be lying dead, unless special commands are received from The Palace to the contrary;
- (b) although it may be the day of the funeral of a foreign ruler.

If it is a day on which a flag would fly, but the body of a very distinguished subject is lying at a Scottish Government building, the flag may fly at half mast on that office until the body has left, after which the flag is to be hoisted right up. On all other Scottish Government buildings the flag will fly as usual.

#### 11. Acts of Terrorism and Other Human Tragedies

The Death and Funeral of Serving and Ex-Serving Foreign Rulers

In the event of an act of terrorism or other human tragedy, flags should not be flown at half mast unless a special command is issued to the contrary. The Protocol and Honours Team will be your point of contact.

#### 12. Flag flying contact

Darren Jeffery, Protocol and Honours Team, 3D South, Victoria Quay, Edinburgh, EH6 6QQ.  
Tel. 0131 244 3403 (direct line) Email: [protocol@scotland.gsi.gov.uk](mailto:protocol@scotland.gsi.gov.uk)

# **Equality Impact Assessment/ Analysis (EqIA) Introduction & Forms**

**August 2016**

**Flag Flying Policy**



**Adapted for WDC using WCC template and framework**

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## **1. Introduction**

### **1.1 What is an Equality Impact Assessment/ Analysis (EqIA)?**

An Equality Impact Assessment/ Analysis (EqIA) is a tool for identifying the potential impact of the county council's strategies, policies, services and functions on its customers and staff.

It is an evidence based assessment tool, to ensure and evidence that the service does not unlawfully discriminate and has due regard in line with the General and specific duties under the Public Sector Equality Duty 2011.

They can help anticipate the equality consequences of particular policy/service initiatives and ensure that as far as possible, any negative consequences for a particular group or sector of the community are eliminated, minimised or counterbalanced by other measures.

They are therefore essentially about service improvements and can help staff provide and deliver excellent services to customers by making sure that these reflect the needs of the community.

This toolkit has been produced to help managers undertake comprehensive and robust Equality Impact Assessments/ Analysis (EqIA) of all their core services or functions, strategies, policies, procedures and practices.

Please note that throughout this document the term 'policy/service' will be used to abbreviate for 'functions, strategies, policies, procedures and practices'.

### **1.2 Why undertake Equality Impact Assessments/ Analysis?**

***It is good practice and necessary if we are to continue delivering inclusive Council services and to deliver the Council's ambitious equalities agenda.***

EqIA's will help us drive forward the equalities agenda locally and with our partners. The benefits of impact assessments include:

- Helping to identify whether we are excluding certain groups from our policies/ services;
- Helping to identify any unmet need and rectify any unmet needs for those with protected characteristics
- Helping to mainstream Equality & Diversity into our work
- Helping to improve our overall service delivery
- Helping us to target resources more effectively

Under the General duty of the Public Sector Equality Duty April 2011, **a public authority must, in the exercise of its functions, give due regard to the need to:**

- a) **Eliminate discrimination, harassment, victimisation and any other prohibited conduct.**
- b) **Advance equality of opportunity** (remove or minimise disadvantage; meet people's needs; take account of disabilities; encourage participation in public life).

- c) **Foster good relations between people** (tackle prejudice and promote understanding).

The Equality Act 2010, provides cover to the following **protected characteristics**:

- **Age:** When considering disadvantage, take into account impacts on children and young people as well as adults, and cross-cutting impacts such as parents and carers (of younger, disabled and older people).
- **Disability:** A person has a disability if s/he has, or has had, a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Carers are covered 'by association'.
- **Gender reassignment:** A person who is proposing to undergo, is undergoing or has undergone gender reassignment.
- **Pregnancy and maternity:** Maternity refers to the period of 26 weeks after the birth (including still births).
- **Race**
- **Religion and belief:** Religious and philosophical beliefs including lack of belief.
- **Sex**
- **Sexual orientation**
- **Marriage and civil partnership:** (b and c of the General Duty mentioned above is not applicable)

The District Council must assess which of its policies and services are relevant to the various protected characteristics, and set out how they will:

- Monitor policies/services for any adverse impact on equality
- Assess and consult on the likely impact on proposed policies/services
- Make sure the public have access to information and services
- Train their staff in relation to the various duties

We want to ensure that our policies and practices do not discriminate against any group within our community and that we use every opportunity to promote equality of opportunity and good community relations. They can be used to focus on specific protected characteristics to help promote equality of opportunity for a particular group. For instance, certain sections of the community may be known to experience more disadvantage than others. They may be adversely affected by a policy or service or omitted from the benefits of the policy or service. The list below is not meant to be exhaustive; and your experience in a particular area of work might mean that you additionally look at other diversity issues.

You may want to consider the impact of the policy on the following:

- Different ethnic groups including white minorities



- Faith groups and faith issues
- Different sexes, including transgender
- Disabled and non-disabled people
- Gay men, lesbians, bisexual and straight people
- Different age groups, for example older and younger people

### **1.3 Who is responsible for Equality Impact Assessments/ Analysis?**

Equality Impact Assessments/ Analysis should be an integral part of policy development. The person conducting an EqlA should have a detailed understanding of the policy or service being assessed, and also be in a position to ensure changes can be made when they are needed.

The ownership and responsibility for an EqlA lies at Head of Service level, however, Service Managers and frontline staff are important in the assessment process as they will not only be involved in implementing the necessary actions identified following an assessment but also helping to integrate and mainstream equalities into service planning.

For some assessments, particularly smaller ones, it may be more appropriate to have a 'virtual team' with one or two people taking responsibility for it, but drawing on the knowledge and expertise of others as and when necessary. To avoid duplication, try and undertake an EqlA as part of a review. For example, if you are reviewing your service plan, an EqlA could be undertaken at the same time.

### **1.4 When should I carry out EqlA?**

- ***Planned EqlA***

A timetable, that lists priority services, functions, policies or strategies across all business units and service areas that require an EqlA. This list will have been agreed by the Leadership and Operational Team and identifies which officer is responsible and the planned timescale.

- ***EqlA of decisions***

The law requires us to consider equality for any 'proposed new or changing policies, services or functions', or financial decisions which would have an effect on services. EqlA should be carried out at the formative stage of policy making, before decisions are made. The results of EqlA should be included with reports to decision makers as an attached EqlA form.

- ***EqlA and the commissioning cycle***

EqlA is relevant to commissioning at several stages; for example it provides a way to assess need, reviewing existing services, or develop service specifications.

If in doubt as to whether to undertake an EqlA, contact the equality team on 01926 412659 or email [equalities@warwickshire.gov.uk](mailto:equalities@warwickshire.gov.uk)

## Equality Impact Assessment/ Analysis

<b>Service Area</b>	Cultural Services – Town Hall
<b>Policy/Service being assessed</b>	Flag Flying Policy
<b>Is this is a new or existing policy/service?</b>	Existing service, new policy
<b>If existing policy/service please state date of last assessment</b>	No previous EIA
<b>EqlA Review team – List of members</b>	Rose Winship (WDC) David Guilding (WDC)
<b>Date of this assessment</b>	August 2016
<b>Signature of responsible officer (to be signed after the EqlA has been completed)</b>	

A copy of the Equality Impact Assessment Report including relevant data and information to be saved in the Equality and Diversity Folder on the shared drive.

If you require help, advice and support to complete the forms, please contact the Equalities team on [equalities@warwickshire.gov.uk](mailto:equalities@warwickshire.gov.uk) or call 01926 412659/ 418199



## Form A1

### INITIAL SCREENING FOR STRATEGIES/POLICIES/FUNCTIONS FOR EQUALITIES RELEVANCE TO ELIMINATE DISCRIMINATION, PROMOTE EQUALITY AND FOSTER GOOD RELATIONS



High relevance/priority



Medium relevance/priority



Low or no relevance/ priority

**Note:**

1. Tick coloured boxes appropriately, and depending on degree of relevance to each of the equality strands
2. Summaries of the legislation/guidance should be used to assist this screening process

Business Unit/Services:	Relevance/Risk to Equalities																										
State the Function/Policy /Service/Strategy being assessed:	Gender			Race			Disability			Sexual Orientation			Religion/Belief			Age			Gender Reassignment			Pregnancy/ Maternity			Marriage/ Civil Partnership (only for staff)		
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Flag Flying Policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Are your proposals likely to impact on social inequalities e.g. child poverty for example or our most geographically disadvantaged communities? <b>If yes please explain how.</b>																								NO			
Are your proposals likely to impact on a <b>carer</b> who looks after older people or people with disabilities? <b>If yes please explain how.</b>																								NO			

## **Form A2 – Details of Plan/ Strategy/ Service/ Policy**

### **Stage 1 – Scoping and Defining**

(1) What are the aims and objectives of Plan/Strategy/Service/Policy?

The matter of flag flying on local government buildings is not bound by any specific directive. It remains for individual Local Authorities to establish their own flag flying policies. The current arrangements for the flying of flags at the Town Hall was established through custom and practice over many years and there is no record of the aims of the protocol being articulated.

Previously, the flying of flags at the Town Hall in Leamington Spa has been restricted to national flags displayed on certain days as designated the Department of Culture Media and Sport. The Leader of the Council had the authority to decide which flags could be flown in addition to this.

1As the result of a recent request to fly an alternative flag from the Town Hall in Royal Leamington Spa the Leader of the Council requested that a formal policy be produced in order to replace the current protocol.

This policy sets out the protocol and procedures to be followed when flying flags and the rationale informing the council's choices when flying flags.

This Flag Flying Policy reflects guidance from Central Government and is intended to provide a modern approach, reflecting today's society by;

- Providing context and established precedents
- Outlining the Council's usual arrangements for the displaying of flags
- Clarifying the protocol and procedure for flying flags
- Clarifying the appropriate procedure should a request for the flying of a specific guest flag or flags be received

(2) How does it fit with Warwick District Council's wider objectives?	<p>WDC is committed to equal opportunities and diversity and to ensure that no person receives less favourable treatment on the grounds of gender, race, colour, nationality or national origin, ethnic origin, marital status, disability, sexual orientation, gender reassignment, age, economic status, political or religious beliefs or responsibility for dependants. The Council will regularly review the way we deliver services to ensure we continuously improve opportunities for everyone to access them.</p> <p>The Council has a role as a community leader to promote good relationships between communities and the flags flown at the Town Hall are symbols of community cohesion, pride and loyalty.</p> <p>The flying of any flag must be viewed in the context in which it is flown or displayed. The decision to fly flags should be sensitive to the views of all the District's communities and actively seek to avoid creating unnecessary controversy or conflict.</p>
(3) What are the expected outcomes?	<p>The Policy aims to clearly establish the protocol and procedures to be followed when flying flags and the rationale behind the Council's choices as to which flags should be flown. It also seeks to maintain the dignity of national flags and avoid these flags being the subject of political controversy.</p>
(4) Which of the groups with protected characteristics is this intended to benefit? (see form A1 for list of protected groups)	<p>The Council recognises that its flag flying policies can impact upon all residents of the District, visitors to the District and Council staff. The District has a diverse community and the flags flown should be inclusive of all communities.</p>
<b><u>Stage 2 - Information Gathering</u></b>	
(1) What type and range of evidence or information have you used to help you make a judgement about the plan/ strategy/ service/ policy?	<p>A comprehensive review of flag flying has been undertaken by Officers which has established:</p> <ul style="list-style-type: none"> <li>• Current and past protocols for flying flags at the Town Hall and the practicalities involved in doing so</li> <li>• The legal obligations and current responsibilities of the Council with regards to flag flying (including planning regulations)</li> <li>• The appropriate guidance to be followed</li> <li>• What is commonly considered to be best practice through a comparison of the flag flying policies of other Local Authorities</li> <li>• Which procedures and processes are most appropriate for Warwick District Council, based on its priorities and values</li> </ul>

(2) Have you consulted on the plan/ strategy/ service/policy and if so with whom?	No		
(3) Which of the groups with protected characteristics have you consulted with?	None		
<b><u>Stage 3 – Analysis of impact</u></b>			
(1) From your data and consultations is there any adverse or negative impact identified for any particular group which could amount to discrimination?  If yes, identify the groups and how they are affected.	RACE It is possible that some countries flags will not be included	DISABILITY NO	GENDER NO
	MARRIAGE/CIVIL PARTNERSHIP N/A	AGE NO	GENDER REASSIGNMENT NO



	RELIGION/BELIEF YES A flag incorporating the emblem of any religion, belief or political party, whether it is a party within the UK or abroad, or any flag containing any emblem or device designed to affect support for a religion, belief or political cause, shall not be flown from any Council building or flag staff.	PREGNANCY MATERNITY NO	SEXUAL ORIENTATION NO
(2) If there is an adverse impact, can this be justified?	The Policy has a differential impact on people with different religious beliefs/political opinions because of their differing perceptions of the symbolism of flags.		
(3) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)	All Warwick District Council staff and Councillors shall be made aware of the policy. Flags not included in this policy, including those of other nations, may be flown from the flag staffs at the town hall after applying for and on the approval from the Chairman of the council. The Chairman shall reasonably consider any request for the flying of a guest flag that does not contravene this policy and decisions will be made in the spirit of displaying universal allegiance, support or respect or to celebrate significant international, national and local occasions.		
(4) How does the plan/strategy/service/policy contribute to promotion of equality? If not what can be done?	This policy allows Warwick District Council to actively and openly demonstrate its commitment to equality of opportunity, to celebrate the diversity within the community and promote inclusion. In doing this Warwick District Council will be actively undertaking its Equality Duties and meeting the requirements of the Equality Act 2010.		
(5) How does the plan/strategy/service/policy promote good relations between groups? If not what can be done?	Flags are emotive symbols which can boost local and national identities and strengthen community cohesion. They are ways for communities to express common feelings of joy, pride and loyalty. Like all symbols, flags are open to wide-ranging interpretation and therefore also have the potential to cause controversy and create tension between community groups whose opinions may differ.		

(6) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	There is no actual adverse impact in terms of equality of opportunity to access events, services and facilities for people in any of the equality categories.
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<b><u>Stage 4 – Action Planning, Review &amp; Monitoring</u></b>					
If No Further Action is required then go to – Review & Monitoring	EqIA Action Plan				
(1)Action Planning – Specify any changes or improvements which can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.	<b>Action</b>	<b>Lead Officer</b>	<b>Date for completion</b>	<b>Resource requirements</b>	<b>Comments</b>
	Management procedures	David Guilding	Sept 2016	N/A	Completed Sept 2016
(2) Review and Monitoring State how and when you will monitor policy and Action Plan	This Assessment will be reviewed annually, whenever the policy is amended or if an application or the flying of a guest flag is granted.				

Once complete please save a copy of this EIA into the central drive **L:/Equalities & Diversity/EIA/year/relevant service area**

Please annotate your policy with the following statement:

**‘An Equality Impact Assessment/ Analysis on this policy was undertaken on 9<sup>th</sup> August**