

## For publication

### Flag Flying Policy (GV000)

<b>Meeting:</b>	Cabinet
<b>Date:</b>	14 September, 2021
<b>Cabinet portfolio:</b>	Governance
<b>Directorate:</b>	Corporate
<b>For publication</b>	

#### 1.0 Purpose of the report

- 1.1 To present a new policy that outlines the procedures and arrangements for the flying of flags at Chesterfield Borough Council's Town Hall and to provide a clear protocol to guide decisions on requests to fly flags at, or illuminate, the Town Hall.

#### 2.0 Recommendations

- 2.1 That the Flag Flying Policy be approved and implemented with immediate effect.
- 2.2 That the Flag Flying Policy be reviewed after a period of two years.

#### 3.0 Reason for recommendations

- 3.1 Like all symbols, flags are highly emotive and can be open to interpretation therefore the Council needs to ensure careful consideration is given to flag flying days and requests for the illumination of the Town Hall to encourage community cohesion and acknowledge the feelings of the borough's residents.

#### 4.0 Report details

- 4.1 In previous years, the Civic Office has produced a list of flag flying days based on guidance from the Government and advice from the National

Association of Civic Officers (NACO). During the year, any requests that are received for additional flag flying days or illumination of the Town Hall are determined on a case-by-case basis. In recent years, the number of requests has increased which has created a need for a clear protocol to guide decisions and set out the Council's procedures and arrangements for the flying of flags and illumination of the Town Hall.

- 4.2 New guidance was issued by the Department for Digital, Culture, Media and Sport in March 2021 that called for all UK Government buildings to fly the Union Flag every day. The Government wrote to all councils in England to encourage them to follow this guidance as a sign of local and national identity, this is echoed in the UK Flag Protocol issued by the Flag institute. In accordance with this guidance, the Policy proposes that the Union Flag will be flown all year round at the Town Hall.
- 4.3 The Policy also provides clarity on the Council's response to national and international incidents and links to the Council's existing protocol regarding the death of the Sovereign.
- 4.4 The Policy will be implemented by the Democratic Services team with support from the Town Hall caretakers.

## **5.0 Alternative options**

- 5.1 The alternative option is not to introduce and standardise a process for submitting requests for additional flag flying days, to continue to produce a list of flag flying days on a yearly basis and to keep the flag poles at the Town Hall empty unless it is a specified flag flying day. This is not recommended as introducing a process for assessing the additional requests will allow the requirements of the Council's Commemorations principles, and the Council's vision and priorities, to be taken into account, as well as being sensitive to the views of the borough's communities. Current Government guidance is to fly the Union Flag rather than leave a flagpole empty and there would need to be a clear reason to not follow this guidance.

## **6.0 Implications for consideration – Council Plan**

- 6.1 The new process for assessing requests for additional flag flying days or illuminating the Town Hall will include consideration against the Council's vision and priorities.

## **7.0 Implications for consideration – Financial and value for money**

7.1 There is a small budget that covers the costs of the upkeep of the council's existing flag stock. The new process for additional requests will take into account the cost pressures and impact on the budget so that they are not an additional resource strain. The Policy provides that spend on new or additional flags must be approved by the Service Director – Corporate.

## **8.0 Implications for consideration – Legal**

8.1 Flag flying policies are a matter for local authorities to determine. The Government guidance on flying the Union Flag is for UK Government buildings however local authorities are encouraged to also follow the guidance. The Government issues a list of flags which can be flown without the need for express consent, this currently includes all the flags listed within the Policy. When determining additional requests, the need for consent will need to be considered.

## **9.0 Implications for consideration – Human resources**

9.1 There are no implications on human resources. The Town Hall caretakers are responsible for flying the flags and report wear and tear to the Civic Office who manage the upkeep of the flags.

## **10.0 Implications for consideration – community wellbeing**

10.1 Flags are a very emotive symbol and can show support for community cohesion however they can also be divisive. The Policy ensures that community wellbeing is at the centre of any decision on flag flying so that the Council is sensitive to the views of its communities.

## **11.0 Implications for consideration – Economy and skills**

11.1 There are no implications for consideration.

## **12.0 Implications for consideration – Climate Change**

12.1 The Policy provides that requests to illuminate the Town Hall will normally be declined as they do not support the Council's Climate Change agenda.

## **13.0 Implications for consideration – Equality and diversity**

13.1 The consideration of additional flag flying requests will take into account the duties under the Equality Act 2010, be sensitive to the views of communities and be made in the spirit of displaying allegiance, support or respect or to celebrate or mark a significant international, national or local occasion. Flag flying allows the council to demonstrate its commitment actively and openly to equality and to celebrate diversity.

#### 14.0 Implications for consideration - Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Without a clear policy and protocol for considering requests, there is a risk that the council may not act in accordance with national guidance and may not be sensitive to the views of the borough's communities.	M	M	Additional requests will be assessed against the Council's Commemorations principles, vision and priorities, and be made in the spirit of displaying allegiance, support or respect or to celebrate or mark a significant international, national or local occasion.	L	L

#### Decision information

<b>Key decision number</b>	Non-key
<b>Wards affected</b>	<b>All</b>

#### Document information

<b>Report author</b>
Rachel Appleyard
<b>Background documents</b>

These are unpublished works which have been relied on to a material extent when the report was prepared.

<https://www.gov.uk/guidance/designated-days-for-union-flag-flying> (accessed August, 2021)

<https://www.flaginstitute.org/wp/uk-flags/british-flag-protocol/> (accessed August, 2021)

**Appendices to the report**

Appendix 1	Flag Flying Policy
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