

---

<b>Report To:</b>	<b>Inverclyde Council</b>	<b>Date:</b>	<b>22 September 2022</b>
<b>Report By:</b>	<b>Head of Legal &amp; Democratic Services</b>	<b>Report No:</b>	<b>LS/82/22</b>
<b>Contact Officer:</b>	<b>Iain Strachan</b>	<b>Contact No:</b>	<b>01745 271 271</b>
<b>Subject:</b>	<b>Flag Flying Protocol</b>		

---

## **1.0 PURPOSE AND SUMMARY**

- 1.1  For Decision  For Information/Noting
- 1.2 The purpose of this report is to provide the Council with a proposed Flag Flying Protocol, further to the 17 February 2022 meeting of the Council.
- 1.3 The Council does not have a formal approved position on all the different flags that it flies and when. Instead, the Council's approach has developed over the years, based upon custom and practice, and some specific Council decisions. Given this, and the sensitivities that can be associated with flag flying, it is proposed that the Council approves a specific Flag Flying Protocol, to provide elected members, officers and the public with clarity around this. In accordance with existing practice, the Flag Flying Protocol includes the birthday of His Majesty the King, and the Official Celebration of this which traditionally takes place on a separate day.
- 1.4 Following a health & safety assessment it is recommended that officers, in consultation with Ward 5 councillors, examine alternative locations for a flag pole within Gourrock.

## **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that the Council agrees the following:-
- 2.1.1 that the Council approves the Flag Flying Protocol appended to this report;
- 2.1.2 that authority is delegated to the Chief Executive to update the Flag Flying Protocol with the date of the Official Celebration of the birthday His Majesty the King, once known;
- 2.1.3 that the Council continues to fly the Ukrainian flag from Greenock Municipal Buildings, other than on occasions when the Flag Flying Protocol decrees another flag is to be flown, with it being delegated to the Chief Executive to keep this under review, in consultation with the Provost and the Leader of the Council, including to review the matter in 6 months' time; and
- 2.1.4 that officers consult with Ward 5 Councillors and Community Councils and report back to a future Council meeting regarding a possible alternative location for the Gourrock Municipal Buildings flag pole.

**Iain Strachan, Head of Legal & Democratic Services**

### **3.0 BACKGROUND AND CONTEXT**

- 3.1 Inverclyde Council recognises a number of events and anniversaries by the flying of certain flags on certain days.
- 3.2 The Scottish Government has issued its own [guidance for the flying of flags](#), which is ordinarily updated every January. This guidance does not apply to local authorities, albeit the Council could choose to follow some or all of it, if it so wished.
- 3.3 The Council does not have a formal approved position on all the different flags that it flies and when. Instead, its approach has developed over the years, based upon custom and practice, and some specific Council decisions. Examples of specific decisions include the following:-
  - The decision of full Council on 21 February 2019 around the flying of the Pride flag; and
  - The decision of full Council on 17 February 2021 around the flying of a flag for National Care Day and Care Week.
- 3.4 For ease of reference a list has been compiled and is set out in the Annexation to this report. All the flags listed are ones that are flown annually, on a recurring basis. The Council will, however, be aware that the Council is also currently flying the Ukrainian flag from Greenock Municipal Buildings, to show solidarity with the Ukrainian people, given the current conflict and humanitarian crisis the country is suffering.
- 3.5 The Council's Health & Safety team have recently undertaken an assessment of the main flag poles used by the Council and identified that the location of flag pole currently within Gourrock Municipal Buildings needs to change.

### **4.0 PROPOSALS**

- 4.1 The flying of flags can be a sensitive topic, and potentially contentious. As such, in order to provide members, officers and the public with clarity around what flags will be flown, and when, and the approval needed for additional flags to be flown, or other changes made to existing practice, it is recommended that the Council adopts a Flag Flying Protocol.
- 4.2 Following the passing of Queen Elizabeth II, and with the accession to the throne of His Majesty the King, King Charles III, the Flag Flying Protocol includes 14<sup>th</sup> November as the date of His Majesty's Birthday. It is expected that there will be an alternate date confirmed as the date for the Official Celebration of His Majesty's birthday, and it is recommended that authority is delegated to the Chief Executive to update the Protocol once details around this are confirmed.
- 4.3 Given that, as noted above, the Ukrainian flag is currently being flown, a decision will have to be made as to whether or not the Council continues to fly this flag. This flag is not included in the draft protocol, given the specific circumstances relating to it being flown. A possible decision could be for the Council to continue to fly this flag, other than when the protocol decrees another flag is flown from Greenock Municipal Buildings to mark a special occasion, with it being delegated to the Chief Executive to keep this under review, in consultation with the Provost and the Leader, including to review the matter in 6 months' time.
- 4.4 It is proposed that officers consult with Ward 5 Councillors and Community Councils regarding a possible alternative location for the Gourrock Municipal Buildings flag pole.

### **5.0 IMPLICATIONS**

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

<b>SUBJECT</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
Financial		X	
Legal/Risk	X		
Human Resources	X		
Strategic (LOIP/Corporate Plan)			X
Equalities & Fairer Scotland Duty			X
Children & Young People's Rights & Wellbeing			X
Environmental & Sustainability			X
Data Protection			X

## 5.2 Finance

None, other than the officer resources involved in flying flags from different Council buildings. However, to date, all this has been contained within existing budgets. This includes the cost of BSU raising and lowering flags at Gourock Municipal Buildings, the cost of which is approximately £150 for each flag.

One off Costs

<b>Cost Centre</b>	<b>Budget Heading</b>	<b>Budget Years</b>	<b>Proposed Spend this Report</b>	<b>Virement From</b>	<b>Other Comments</b>
N/a					

Annually Recurring Costs/ (Savings)

<b>Cost Centre</b>	<b>Budget Heading</b>	<b>With Effect from</b>	<b>Annual Net Impact</b>	<b>Virement From (If Applicable)</b>	<b>Other Comments</b>
N/A					

## 5.3 Legal/Risk

None, other than potential health and safety considerations around the continued use of the flagpole at Gourock Municipal Buildings.

## 5.4 Human Resources

None, other than the officer resources involved in flying flags from different Council buildings.

## 6.0 CONSULTATION

6.1 The Corporate Management Team and Strategic Leadership Forum have been consulted on this report.

## 7.0 BACKGROUND PAPERS

7.1 None.

## **Appendix Draft Inverclyde Council Flag Flying Protocol**

Inverclyde Council recognises a number of events and anniversaries by the flying of certain flags on certain days.

The Scottish Government has issued its own [guidance for the flying of flags](#), which is ordinarily updated every January. This guidance does not apply to local authorities, albeit the Council could choose to follow some or all of it, if it so wished.

The Council has over time developed a list of flags that will be flown on certain days. For ease of reference that list has been compiled and is set out in the Annexation to this Protocol. The approval of Inverclyde Council is required to make any permanent alterations to this list.

In the event that at any time more than one flag is due to be flown from the same flagpole on the same date, then authority is delegated to the Council's Chief Executive to resolve the matter and decide, in consultation with the Provost and the Leader of the Council, which flag will be flown.

The decision to fly any flags that are not listed in the Annexation, and/or any permanent alterations to this list, requires the approval of Inverclyde Council. However, where the approval of Inverclyde Council would be required in respect of a flag that is proposed to be flown and there is no scheduled meeting in advance of the date proposed for flying, then authority is delegated to the Council's Chief Executive, in consultation with the Provost and the Leader of the Council, to decide the matter in question.

In addition to flag flying, on the death of the Sovereign the Union Flag will also be flown at half-mast (that being flown two-thirds up the flagpole) from the flag poles at Greenock Municipal Buildings, Clyde Square, Port Glasgow Town Hall and the Gourock Municipal Buildings, taking account of any further guidance that may be issued by the Scottish Government at that time. The decision to fly the flag at half-mast on any other occasions, including the death of any other significant public figure, is delegated to the Council's Chief Executive, in consultation with the Provost and the Leader of the Council.

This Protocol was approved by Inverclyde Council at its meeting of [TBC] 2022.

## Inverclyde Council Flag Flying

Listed below are the dates/occasions when certain flags are to be flown from certain Inverclyde buildings. These flags are to be flown from the Council's Greenock Municipal Buildings at Clyde Square, save where otherwise noted (\*).

In addition, under a decision of Inverclyde Council on 17 February 2022, the Saltire will be flown from all three Town Buildings all year round, with the exception of days it is agreed, or accepted practice, that other flags should be flown.

<b>Date</b>	<b>Occasion</b>	<b>Flag</b>
*25 <sup>th</sup> January	Robert Burns' Birthday	St Andrew's Cross
1 <sup>st</sup> February	Lesbian Gay Bisexual and Transgender (LGBT) Month	Pride (Rainbow) Flag
8 <sup>th</sup> February	International Women's Day	Official Women's Day Flag
18 <sup>th</sup> February	National Care Day	Proud2Care Flag
9 <sup>th</sup> March	Commonwealth Day	Commonwealth Day Flag
9 <sup>th</sup> May	Council of Europe	Council of Europe Flag
17 <sup>th</sup> May	International Day against Homophobia, Biphobia and Transphobia	Pride (Rainbow) Flag
24 <sup>th</sup> May	Empire Day	Union Flag
*TBC (date variable)	Official Celebration of His Majesty's Birthday	Union Flag
*June (date variable)	Armed Forces Day	Armed Forces Flag
13 to 14 July (dates variable)	Glasgow Pride Weekend	Pride (Rainbow) Flag
3 <sup>rd</sup> September	Merchant Navy Day	Red Ensign
October (dates variable)	Care Week	Proud2Care Flag
24 <sup>th</sup> October	United Nations Day	United Nations Flag
*2 <sup>nd</sup> Sunday in November	Remembrance Sunday	Union Flag
*11 <sup>th</sup> November	Armistice Day (Remembrance Day)	Union Flag
*14 <sup>th</sup> November	Birthday of His Majesty the King	Union Flag
*30 <sup>th</sup> November	St Andrew's Day	St Andrew's Cross
1 <sup>st</sup> December	World AIDS Day	Aids Flag (Red/White)
3 <sup>rd</sup> December	International Day of Persons with Disabilities	Purple Flag

Use of \* means the Flag is to be flown within the three Town Buildings in Inverclyde, being the Greenock Municipal Buildings, the Port Glasgow Town Hall and the Gourock Municipal Buildings.