

## Emblem committee

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### TERMS OF REFERENCE

#### 1. Introduction

- 1.1 The British Red Cross is a committed member of the International Red Cross and Red Crescent Movement. We believe that the Movement is needed more than ever before to provide impartial, humanitarian help here in the UK and around the world.
- 1.2 We believe that in a world where both conflict and communications channels have become ever more fragmented, it is vital that more people around the world and in the UK recognise and respect the red cross and red crescent emblems.
- 1.3 The emblems have two uses. The first use is as a visible sign of protection in armed conflicts or in internal disturbances and tensions. It is conferred on persons, vehicles and structures of the medical services of the armed forces, National Society medical staff working as auxiliaries to these military medical services, and persons, vehicles and structures of the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies . This is the protective use of the emblem.
- 1.4 The second use of the emblem identifies persons, vehicles or structures linked to the International Red Cross and Red Crescent Movement. This is the indicative use of the emblem. In the United Kingdom the BRC is authorised by the Government to use the Red Cross emblem, as set out in the authorisation letter from the Secretary of State for Defence dated 23 February 2016.
- 1.5 The British Red Cross is the only civilian organisation in the UK to have this privilege. The British Red Cross is authorised to use the emblem on condition that it will act responsibly in upholding the integrity of the emblem, and that it will adhere strictly to the Regulations on the Use of the Emblem of the Red Cross or the Red Crescent by the National Societies (the Emblem Regulations), including its commentary, as well as to any interpretations or practices required by the Government. The British Red Cross is also responsible, on behalf of the relevant Government departments, for monitoring misuse of the emblem and similar designs in the UK. The British Red Cross recognises that under the 1949 Geneva Conventions and UK legislation (specifically, section 6 of the Geneva Conventions Act 1957 (as amended)), the Government is ultimately responsible for use of the emblem within UK jurisdiction, it is, therefore, essential that the British Red Cross consult with relevant officials and follow their advice in the event of issues arising that are novel, contentious or present significant risk to the primary protective purpose of the Emblem.
- 1.6 The British Red Cross recognises that use of the emblems and their designations is a matter of international humanitarian law, having significance beyond the British Red Cross. Decisions on appropriate use should be assessed primarily on these grounds and require specialist knowledge and guidance.

## 2. British Red Cross aims in relation to use of the emblem

2.1 The British Red Cross has three aims in relation to the use of the emblem and the corporate logo.

**a) Increase internal and external awareness and understanding of the primary protective purpose of the emblem**

Our first commitment moving forward will be to promote wherever possible the primary protective purpose of the emblem.

**b) Optimise the use of the emblem within the established guidance**

Within the framework of the emblem regulations, we wish to explore and develop the positive ways in which the British Red Cross can use the emblem indicatively in a manner which is most helpful in supporting the need to raise profile, funds, influence and facilitate access to our services. We will assess any risk to the primary purpose whenever we propose to use it for indicative purposes, as already required by the emblem regulations.

**c) Maintain a partnership approach with the relevant Government departments**

The aims are based on the understanding that we will do nothing to undermine the primary protective purpose of the emblem or the regulations regarding its use, and that we will work with the Ministry of Defence (MOD) and the Intellectual Property Office (IPO), mindful that they authorise us to use the emblem.

These aims increase our responsibility to promote the primary purpose of the emblem at every opportunity, but also require a realistic assessment of any risk to that primary purpose in its indicative use.

## 3. Purpose of the Emblem Committee

3.1 The Emblem Committee is a sub-committee of the Board of Trustees of the British Red Cross.

3.2 The purpose of the Emblem Committee is:

- to oversee the continued development of a framework for use of the emblem and the British Red Cross logos by the British Red Cross consistent with the aims set out above;
- to continue to ensure that the 1991 Emblem regulations are observed and enforced;
- to encourage appropriate use of and adherence to the framework by British Red Cross staff and volunteers, including by endorsing relevant training or other awareness-raising activities within the Society;
- to oversee engagement with the International Red Cross and Red Crescent Movement on proposed developments in the use of the emblems.

- 3.3 The Emblem Committee will at all times be cognisant of the aims set out above and the need to preserve the integrity of the emblem. It will commission and approve clear guidance and a referral and approval system covering the whole organisation to achieve this.
- 3.4 It will also consider and make recommendations to the MOD, and other relevant Government authorities where appropriate, in relation to the:
- Delegated authority granted to the British Red Cross Society in relation to the use of the emblems, designations and similar.
  - Use in the UK of the red cross and/or red crescent and/or red crystal emblems, of designs resembling those emblems, the Society's name, of the words "Red Cross" and/or "Red Crescent" and/or "Red Crystal" and of any similar wording.
  - Creation and use of design interpretations within a campaign or fundraising context for use in fund-raising and/or promotional purpose, as appropriate.

#### 4. Ways of working, quality assurance and monitoring

- 4.1 The framework on emblem use refers to internal guidance covering existing and future agreed practice on use of the emblem by the British Red Cross. The guidance incorporates both legal requirements and brand guidelines and includes templates, where possible. The guidance is primarily available to staff and volunteers on the online communications toolkit. Where individuals are unsure about interpretation of the guidance, advice should be sought from the Head of International Law and the Head of Marketing, Creative and Brand.
- 4.2 Where a proposed use of the emblem is not covered by existing guidance, advice must be sought from the Head of International Law, who will advise on relevant legal and statutory requirements, and from the Head of Marketing, Creative and Brand, who will advise on applicable brand guidelines. The views of the Head of International Law and the Head of Marketing, Creative and Brand on these respective areas should normally be followed.
- 4.3 If there is a lack of consensus with or between the Heads, International Law and Marketing, Creative and Brand, the proposal will be escalated for decision to the Chair of the Emblem Committee, or, on the recommendation of the Chair, to the full Emblem Committee, depending on the degree of risk or lack of consensus. In the event of issues arising that are novel, contentious or present significant risk to the primary purpose of the Emblem, the Emblem Committee must request guidance from the MOD (principally via the International Law Department) and consult the Chair, Board of Trustees.
- 4.4 The Emblem Committee will meet quarterly, as required, to review issues arising from decisions made in the previous quarter and, where possible, to anticipate the decisions likely to be needed in the future.

- 4.5 A biannual report will be produced by the International Law Department, for consideration and approval by the Emblem Committee, setting out decisions taken on new proposals to use the emblem by the BRC, as well as instances of misuse of the emblem by third parties.
- 4.6 Once endorsed, the Emblem Committee will share this report with the Board and the MOD and invite a biannual review by the designated MOD officials of the decisions that have been made in relation to the use of the emblem.
- 4.7 The British Red Cross, in making decisions on use of the emblem(s), will ensure that the Emblem Regulations, including their commentary, are observed and enforced. In the event that, the MOD believed that decisions have been outside of the framework of the authorisation letter or the Emblem Regulations, a meeting would be convened between the MOD, the Chair of the Emblem Committee and the CEO or their designate to seek to resolve the issue, and if necessary to agree a change to current internal policy or practice. The MoD maintains the right to review and if necessary amend the letter of authorisation and in extremis rescind the letter of Authorisation.

## 5. Membership

- 5.1 The Emblem Committee will be composed of the following:
- Four members of the Board of Trustees, or alternatively, a combination of members of the Board of Trustees and members co-opted by the Board. The Chair will be one of these.
  - Three members of the Executive Leadership Team, namely, the Executive Directors of Communications and Engagement, Fundraising and International.
  - One representative of the Ministry of Defence as an ex officio member.
- 5.2 The secretary to the committee will be a representative of the Governance team. The International Law Department will prepare the biannual report.
- 5.3 The Head of International Law and Head of Marketing, Creative and Brand will be in attendance as advisers.

Approved by Ministry of Defence, 23 February 2016