

Emblem Committee

TERMS OF REFERENCE

1. Scope

1.1 Purpose

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 at the end of this document¹.
- Continue to ensure that the 1991 Emblem Regulations are observed and enforced.
- Encourage appropriate use of and adherence to the framework by British Red Cross (BRC) staff and volunteers, including by endorsing relevant training or other awareness-raising activities within the Society.
- Oversee engagement with the International Red Cross and Red Crescent Movement on proposed developments in the use of the emblems.

1.2 Authority

The Committee has delegated authority from the Board of Trustees in accordance with the terms of reference.

1.3 Reporting

The Committee reports to the Board of Trustees.

2. Membership

2.1 Chair

The Committee will be chaired by a Trustee appointed by the Chair of the Board of Trustees.

2.2 Members

Core membership of the Committee will comprise:

- Up to three members of the Board of Trustees including the Chair of the Committee.
- One representative of the Ministry of Defence (ex officio).

2.3 Attendees

The Special Counsel, International Law and the Senior Marketing Director will be in attendance as advisers. The Executive Directors of Communications and External Affairs, Fundraising and International may also attend as necessary.

The Committee may invite other attendees to act in an advisory capacity, as deemed necessary.

2.4 Term of office

Two terms of four years each; coterminous with each Trustee's terms of office.

Ex-officio members shall serve only so long as they continue to occupy the positions by virtue of which they become members.

2.5 Quorum

Quorum is set at two members, at least one to be a Trustee.

3. Responsibilities

The responsibilities of the Committee shall be:

- 3.1 To be cognisant of the aims 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.
- 3.2 To consider and make recommendations to the Ministry of Defence (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 fundraising and/or promotional purposes, as appropriate.
- 3.3 To receive and consider the International Law team's biannual report which sets 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. Once endorsed, the report will be shared with the BRC Board and the MOD. The designated MOD officials will review the decisions that have been made in relation to the use of the emblem.
- 3.4 To review issues arising from decisions made in the previous year and, where possible, to anticipate the decisions likely to be needed in the future.
- 3.5 Where a proposed use of the emblem is not covered by existing guidance, advice must be sought from the Special Counsel, International Law, who will advise on relevant legal and statutory requirements, and from the Senior Marketing Director, who will advise on applicable brand guidelines. The views of the Special Counsel, International Law and the Senior Marketing Director on these respective areas should normally be followed.
- 3.6 If there is a lack of consensus between the Special Counsel, International Law and the Senior Marketing Director, 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 team) and consult the Chair of the Board of Trustees.
- 3.7 The British Red Cross, in making decisions on the use of the emblem(s), will ensure that the Emblem Regulations, including their commentary, are observed and enforced. In the event that the MOD believes 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.

4. Management

4.1 Secretary

A Secretary shall be appointed who will arrange, convene, attend and record all meetings of the Committee.

4.2 Papers / Agenda

The Secretary to the Committee is responsible for circulating papers for the meetings. Agenda and papers will be circulated to all members at least 5 working days before the meeting.

4.3 Meetings

The Committee will normally meet once a year as a minimum. Additional meetings may take place at the request of the Committee Chair.

4.4 Attendance

Members are expected to attend all meetings of the Committee unless agreed by the Chair. Ex-officio members must nominate a suitable deputy if unable to attend. Attendance by tele/video conference can be agreed with the Chair.

4.5 Minutes / reporting

The Secretary to the Committee shall aim to distribute minutes of each meeting to Committee members within ten working days. Minutes will be shared with the Board at the following Board meeting.

The Committee Chair will report formally to the Board on the Committee's proceedings.

5. Version control

5.1 Approval

These terms of reference were approved by the Board of Trustees at their meeting on 20 February 2024.

ⁱ 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.

Further background on the use of the Red Cross Emblem

- 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.
- 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.
- 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.
- 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.

-
- 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.
 - 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.