



Date: May 2018
To: All Contacts, APSE Scottish Region

Dear Colleague,

APSE Scotland AGM, 10.30am start (registration opens at 10am), Friday 15 June 2018, Recital Room, City Halls Glasgow, Candleriggs, Glasgow, G1 1NQ

As you will be aware, the AGM provides an invaluable opportunity for APSE in Scotland to review its activities over the last year. It also provides a critical role in ensuring that any identified future goals and objectives of the Association are directly linked to the views of the membership. Full AGM papers are enclosed.

The AGM will also include presentations on:

- 'A Guide to Commercialisation', APSE's recent publication for Scottish local government.
Louise Melville, Principal Advisor Scotland and Paul O'Brien, APSE Chief Executive.
- North Ayrshire's approach to municipal entrepreneurship
Russell McCutcheon, Head of Commercial Services, North Ayrshire Council.
- Commercialism and Beyond
Ronnie Dempster, Head of Enterprising Services, Dumfries and Galloway Council

We hope you can attend the AGM and see on a first hand basis the work of APSE in helping deliver continuous improvement across public services. Please note that should you have any proposed motions, then these should be forwarded to the APSE office at least 21 days prior to the event.

The AGM is open to all APSE Scottish Local Authority members, Tayside Contracts and Scotland Excel, with equal representation welcome from both **elected members and officers.**

You should note that following the meeting which is expected to close around 12.15pm, a buffet lunch will be served. It would be appreciated if you could complete the enclosed attendance slip and return it at your earliest convenience to confirm your participation in this event.

Please do not hesitate to contact the Association if you have any enquires regarding the enclosed.

Yours sincerely,

Paul O'Brien
APSE Chief Executive



SCOTTISH AGM 2018

Association for Public Service Excellence

10.00am for 10.30am start

15 June 2018

AGENDA

1. Attendance and apologies
2. Minute of AGM held on 14 June 2017
3. Matters arising
4. Annual report by services
 - **Building & housing services**
 - **Commercialisation network**
 - **Parks, grounds & street services**
 - **Renewables & energy efficiency**
 - **Roads & lighting services**
 - **Soft fm services**
 - **Transport & mechanical services**
 - **Waste & recycling services**
5. Finance reports and accounts
6. Motions
7. Regional constitutional (see appendix 1)
8. National constitution (see appendix 2)
9. Confirmation/ Election of National Council delegates (7)
10. Annual report by Secretariat
Speaker: Louise Melville, Principal Advisor, APSE Scotland

11. National APSE report including research programme
Speaker: Paul O'Brien, Chief Executive, APSE
12. 'A Guide to Commercialisation', APSE's recent publication for Scottish local government.
Speakers: Louise Melville, Principal Advisor Scotland and Paul O'Brien, APSE Chief Executive.
13. North Ayrshire's approach to municipal entrepreneurship
Speaker: Russell McCutcheon, Head of Commercial Services, North Ayrshire Council.
14. Commercialism and Beyond
Speaker: Ronnie Dempster, Head of Enterprise and Services, Dumfries and Galloway Council
15. Any other competent business
16. Closing remarks

Agenda item 7 (Appendix 1)

CONSTITUTION OF THE ASSOCIATION FOR PUBLIC SERVICE EXCELLENCE SCOTTISH REGION 2017

1. Constitution and Title

The Association shall consist of local authorities and other public bodies who are bona fide members of the Association for Public Service Excellence (herein after called the 'National Association') in the Region of Scotland and who are desirous of being in membership and shall be known as the 'Scottish Region of the Association of Public Service Excellence'.

2. Aims and Values

The Aims and Values of the Scottish Region of the Association for Public Service Excellence (herein called the 'Scottish Region') shall be: -

Our Mission

The Association which consults, develops, promotes, advises and shares on best practice and provision efficient and accountable of public services.

Our Values

- (a) APSE will act as a champion in promoting continuous improvement in the delivery of excellent, cost effective and efficient public services to local communities.
- (b) APSE believes that all local delivery arrangements should be capable of meeting the tests of public value in terms of the support for sustaining resilient local economies; building community cohesion; improving the quality of life; demonstrating value for money; sustaining democratic networks and accountability to citizens and service users; and supporting employment, skills and training.
- (c) APSE believes that in order to demonstrate public value a strong core of local services should be provided in-house so that Councils have both the capacity and expertise to deliver innovative, flexible and high quality services, and effectively manage other supply arrangements in the interests of local communities and taxpayers
- (d) APSE believes that all providers of local public services should be accountable to elected members as the democratic stewards and representatives of their locality.

- (e) APSE believes that excellent services can best be delivered through highly motivated and well trained employees who should as far as possible reflect the diverse communities which they serve.
- (f) APSE will advocate the value and benefits to local economies of high quality public services to all key stakeholders and the wider public.
- (g) APSE believes that public service excellence can only be achieved through improving the quality of public sector management and will provide networks and services to support this aspiration.

3. Annual Subscriptions

- i. An annual subscription shall be payable by each local authority in membership of the Regional Association, in addition to the national subscription, both of which will be collected by the National Association each year. National and Regional subscriptions are payable in advance on the 1st April each year. The financial year shall be from the 1st April to the 31st March.
- ii. Member authorities and public bodies wishing to withdraw from the Regional Association must give 12 months notice in writing.
- iii. For the avoidance of doubt any member authority wishing to withdraw from the National Association must give 12 months notice in writing to the Chief Executive of the National Association.
- iv. Authorities who are not members of the National Association may not participate or be members of the Regional Association.

4. Functions

The functions of the Association, Scottish Region shall be: -

- i. To promote the public provision of high quality local services and to support authorities in their efforts to deliver continuous improvement, and to oppose any unreasonable restrictions in achieving such aims.
- ii. To co-ordinate the activities of direct frontline services to exchange information and experience, and to make recommendations to such bodies, with a view to identifying and disseminating Best Practice.
- iii. To work in partnership with any organisation, which shares the aims and philosophies of the Association, Scottish Region in the promotion of the future well being of direct frontline services, their employees, and the communities who are served by them.

- iv. To monitor present legislation and any changes proposed thereto, to understand the implications, representing members and lobbying government and other bodies as appropriate.

CONDUCT OF BUSINESS

5. National Council

- i. The Chair and the Secretary of the Regional Association (or other persons appointed by them) shall represent the Regional Association on the National Council of the National Association.
- ii. Additional representatives to National Council shall be elected annually at the Scottish Region AGM. The number of seats available shall be in accordance with the National Constitution clause 5(b)(ii). Nomination will be taken from the newly elected membership in Scotland, and as far as possible, reflect the balance of Member/Officer split.
- iii. The National Chair, Secretary and Chief Executive (or his/her staff nominee) shall be entitled to attend meetings of the Regional Association and its Executive and to take part in the proceedings thereof, but not to vote.

6. Meetings

- i. The Regional Association shall hold an Annual General Meeting each year at least one month in advance of the date of the National Association Annual General Meeting.
- ii. Notwithstanding (i) above the chair of the Regional Association may require that a Special Meeting shall be held at any time on such date and such time and venue as he or she may decide, for the transaction of urgent business, which in his or her opinion cannot properly be deferred until the next ordinary meeting of the Regional Association.
- iii. All meetings of the Regional Association shall be convened by the Secretary giving not less than fourteen days' notice thereof in writing or in the case of a Special Meeting not less than seven days' notice in writing, stating the date, time and venue of the meeting and the business proposed to be transacted.
- iv. No business other than that set out in the Agenda for the meeting shall be transacted at the Annual General Meeting or any ordinary meeting of the Regional Association save with the consent of the majority of those present and voting at the meeting.

- v. No business whatsoever shall be transacted at any Special Meeting of the Regional Association convened in accordance with (iii) above other than that set out in the Agenda for the meeting, save insofar as it may be necessary to appoint a person to preside at the meeting

7. Chair and Vice Chair

- i. The appointment of the Chair of the Regional Association shall be the first item of business at the Annual General Meeting in any given election year.
- ii. The second item of business at the Annual General Meeting shall be the election of Vice Chair in any given election year.
- iii. (a) The Chair and Vice Chair of the Regional Association shall hold office until their respective successors are elected.

(b) The Regional Association will strive to ensure political balance, from parties who share its values, in its elected member appointments.
- iv. The Chair, if present at the meeting of the Regional Association, shall preside thereat. In the absence of the Chair the Vice Chair, if present, shall preside. In the absence of both of the Chair and the Vice Chair a person appointed by the meeting shall preside.
- v. Subject as otherwise provided in this Constitution with regard to voting at meetings of the Regional Association, the ruling of the Chair or the Vice Chair or other person presiding at the meeting of the Regional Association on the conduct of the proceedings of the meeting shall be final.

8. Quorum

The quorum for all the meetings of the Association, Scottish Region, shall be one third plus one of the members entitled to attend.

9. The Scottish Chair

- i. (a) The Scottish Chair & Vice Chair shall be elected for the same term cycle as that of the Scottish local government elections.

(b) The Chair and Vice Chair of the Regional Association shall work to a role profile as agreed by the Scottish Regional Council.

(c) The Scottish Chair and Vice Chair will receive an annual personal allowance and reasonable expenses during their period of office.
- ii. The Scottish Chair shall not be eligible for re-election in the term following retiral from office.

- iii. Any extension to the term of office requires the agreement of the AGM.

10. The Scottish Financial Advisor

- i. The Financial Advisor shall be an elected officer for the same term cycle as that of the local government elections.
- ii. Any extension to the term of office requires the agreement of the AGM.

11. The Scottish Secretary

- i. The Secretary of the Association, Scottish Region, shall be an elected officer for the same term cycle as that of the local government elections.
- ii. Any extension to the term of office requires the agreement of the AGM.

12. The Scottish Regional Council

- i. A Council of the Association, Scottish Region, shall be formed whose duties shall be to monitor and co-ordinate the activities and finances of the Association, Scottish Region, including the organisation of the Annual General Meeting.
- ii. The membership of the Council shall be the Chair and Secretaries of each of the eight Service Areas. The Scottish Chair, the Scottish Vice Chair, the Scottish Secretary and the Financial Advisor shall also sit as full members on the Council.
- iii. The Council shall have the authority to second such expertise as is required and accordingly shall be empowered to co-opt any such representatives in a non-voting capacity.

13. Meetings of the Scottish Regional Council

The Council of the Association, Scottish Region, shall meet every four months or more often if required. Meetings will normally be called by notice in writing not less than fourteen days before the date of the meeting and the notice shall include the agenda of items to be discussed.

14. Service Areas

- i. The Association, Scottish Region, shall form eight distinct service groups. These are: -

Building & Housing Services
Parks, Grounds & Street Services
Renewables & Energy Efficiency

Roads & Lighting Services
Commercialisation
Soft FM Services
Transport & Mechanical Services
Waste & Recycling Services

- ii. (a) The eight advisory groups will each have an elected Chair and Secretary, with the term of office running for the same length of time as the local government election cycle.

(b) The Regional Association will strive to ensure political balance, from parties who share its values, in its elected member appointments.

(c) The Chair of each of the advisory group shall work to a role profile as agreed by the Scottish Regional Council.

(d) The Chair of each advisory group will receive an annual personal allowance during their period of office.
- iii. Any extension to the term of office requires the agreement of the AGM.
- iv. Each member authority of the Scottish Region shall be entitled to be represented at elected member and officer level at each advisory group meeting.
- v. Each advisory group will hold a maximum of three meetings per annum not including the AGM.

15. Additional Working Groups

- i. Each advisory group has the power to form time-limited subgroups, which require to be endorsed by the Scottish Regional Council.
- ii. Any such group must report directly to the relevant full advisory group via the appropriate Chair and secretary.

16. Finance

- i. The Secretariat function shall be jointly financed by the National Association and the Association, Scottish Region, on a formally agreed basis.
- iii. It is the responsibility of the Secretariat, subject to the final approval of the Financial Advisor, to ensure VAT returns are submitted accurately and timeously.

17. Annual General Meeting

The AGM will also have the following powers:

- i. To accept or otherwise annual reports from each of the Advisory Groups.
- ii. To consider motions submitted to the AGM twenty-one days prior to the date of the AGM.
- iii. To elect office bearers as appropriate.
- iv. To receive and consider the annual accounts.

18. Amendments to the Constitution

All Members of the Association, Scottish Region, must be notified, in writing, at least six weeks prior to the AGM of any amendments to the constitution. Amendments may be made with the consent of a two-thirds majority of the authorities in attendance at the AGM.

19. Office Bearers

The Chair or Secretary of any of the Association's designated Scottish bodies can be removed by a vote of no confidence which is supported by two-thirds of those present at the appropriate meeting. A motion calling for this course of action must be sent in writing to the Association's Scottish Secretary at least fourteen days in advance of this meeting. Thereafter, replacements will be identified from those present and ratified at the next Scottish Annual General meeting.

20. Secretariat

The Secretariat function shall consist of the post of Principal Advisor and appropriate support staff for the function, as agreed through the Association's structure.



National Constitution

1 Title

The Association shall be called "The Association for Public Service Excellence" - referred to hereinafter as the "Association" or as 'APSE'.

2 Aims and Values

Our Mission

The Association which consults, develops, promotes, advises and shares on best practice in the delivery and provision of efficient and accountable public services.

Our Values

- (a) APSE will act as a champion in promoting continuous improvement in the delivery of excellent, cost effective and efficient public services to local communities.
- (b) APSE believes that all local service delivery arrangements should be capable of meeting the tests of public value in terms of the support for sustaining resilient local economies; building community cohesion; improving the quality of life; demonstrating value for money; sustaining democratic networks and accountability to citizens and service users; and supporting employment, skills and training.
- (c) APSE believes that in order to demonstrate public value a strong core of local services should be provided in-house so that Councils have both the capacity and expertise to deliver innovative, flexible and high quality services, and effectively manage other supply arrangements in the interests of local communities and taxpayers
- (d) APSE believes that all providers of local public services should be accountable to elected members as the democratic stewards and representatives of their locality.
- (e) APSE is supportive of fair employment and believes that excellent services can best be delivered through highly motivated and well trained employees who should as far as possible reflect the diverse communities which they serve.

- (f) APSE will advocate the value and benefits to local economies of high quality public services to all key stakeholders and the wider public.
- (g) APSE believes that public service excellence can only be achieved through improving the quality of public sector management and will provide networks and services to support this aspiration.

3 Representation

- (a) Membership shall be open to all local authorities in the United Kingdom who can demonstrate that they are committed to delivering quality cost effective services to their communities.
- (b) Member local authorities shall normally be represented by members, officers and trade union representatives. Voting shall be on the basis of one vote per member authority.
- (c) Associate membership shall be open to public bodies and other organisations in the UK which are not local authorities but which share the principles and objectives of the Association. Associate membership shall confer no voting rights.
- (d) The Association shall form six areas/regions on a geographical basis. Each area/region will have its own autonomy within the overall direction of the National Association.
- (e) Any vacancy on the Association shall be filled by the appointing local authority and any vacancy on the National Council shall be filled by the appropriate area/region.
- (f) Representatives shall be empowered to appoint substitutes.
- (g) The National Council shall be empowered to recommend that membership of the Association be withdrawn from any Member or Associate Member if, in the opinion of the National Council, it would not be in the interests of the Association for the Member or Associate Member to remain a Member on the grounds that the Member or Associate Member has acted contrary to the aims and values of the Association. Membership shall be withdrawn from such Member or Associate Member if the National Council's recommendation is approved by two thirds of the Members attending and voting at an AGM or other meeting of the Association. The Member or Associate Member whose membership is proposed to be withdrawn shall be given an opportunity to appear before the National Council and the Association to make representations on its behalf.

4 Office Bearers

4 (a) (i) Chair

The National Chair shall be appointed annually on a rotational basis from the constituent area/regions. The rota shall be as follows:

- (1) Scotland
- (2) Northern
- (3) Central
- (4) Wales
- (5) Northern Ireland
- (6) South and South Western

(a) (ii) The National Chair shall work to a role profile as agreed by the National Association.

(b) Secretary

The National Secretary will be appointed annually on the same basis as the chair by the same area/region.

(c) During their year of office the National Chair and National Secretary shall oversee the work of the Association's Secretariat in accordance with the Association's business plan and annual financial budget.

5 National Council

(a) A National Council of the Association shall be formed whose functions shall be to take any action necessary in pursuit of the Association's aims and values. It shall act on behalf of the Association and report accordingly to the Association.

(b) The National Council shall be empowered to do such acts as are intended to further the aims and values of the Association including the following:

(i) Nominate representatives on behalf of the Association to other bodies and organisations (such representatives will be drawn from the membership of the Association).

(ii) Enter into contracts and other binding arrangements with third parties on behalf of the Association.

(iii) Take out and maintain (at the Association's cost) both directors and officers indemnity insurance and professional indemnity insurance to cover the activities of any officer of the Association (including but not limited to members of the National Council and its property trustees appointed pursuant to Section 10(b)) acting within the scope of authority granted to him/her by the Association.

- (iv) Purchase, sell, lease, charge, dispose of or make any other arrangement as it sees fit in relation to the Association's property and assets on its behalf provided that such arrangements are compatible with the Association's aims and values.
 - (v) Deal with any employment matters on behalf of the Association (including hiring, fixing the remuneration and terminating the contracts of any employees, agents or consultants).
 - (vi) Open and operate bank accounts on behalf of the Association.
 - (vii) Take out a bank loan or other form of third party loan at reasonable commercial rates on behalf of the Association.
- (c) (i) The National Council shall comprise the National Chair, National Secretary, the immediate past National Chair and Secretary, and the immediate future National Chair and Secretary (from the constituent area/region following the rota outlined in section 4(a) of the constitution) and the present Chair and Secretary from each of the six areas/regions.
- (ii) In addition, seats shall be allocated on the basis of two additional seats for the first 25 members or part thereof and one additional seat for the next 25 members or part thereof in each area/region, as at 1 April each year, up to a maximum of four additional seats per area/region.
- (iii) Substitutes shall be permitted as long as they are nominated and notified in writing in advance from the appropriate area/region.
- (d) The National Council shall have the authority to call in such expertise as is required and accordingly shall be empowered to co-opt any such representatives who shall have no voting rights.
- (e) Any functional officer appointed by the National Council shall attend Council meetings but shall have no voting rights.
- (f) (i) Members shall be appointed from National Council to serve on any sub-committee of National Council.
- (ii) The remit of the National Council and its Sub-Committees shall be to deal with issues relating to policy; to oversee the running of the Association on issues including personnel and finance matters and; to provide strategic input into the development of the policy direction, lobbying and marketing of the Association.
- (iii) The remit of the National Council and its Sub-Committees shall also include handling matters relating to human resource management including recruitment of senior staff and dealing with grievance and disciplinary appeals where appropriate; to assist in the preparation of the Associations business plan and to monitor its implementation; to prepare the annual budget to recommend, if necessary, additional expenditure falling outside the normal budget process; to

monitor income and expenditure throughout the year and; to approve virement between various budget heads during the year.

(g) (i) The National Council shall establish and oversee service advisory groups. The Chair of each group shall be elected annually at the AGM and groups shall regularly report their activities to National Council. Service advisory groups shall be established and wound up by National Council, subject to ratification at the subsequent Association meeting.

(ii) The Association shall from time to time establish and maintain and wind up strategic Fora the designation of which together with their composition shall be determined at the AGM.

(iii) The National Council shall maintain lists of the Association's national service advisory groups and strategic forums and shall provide copies of the same at the AGM.

(iv) The Chair of each of the advisory group / strategic forum shall receive an annual personal allowance during their period of office.

(h) The National Association shall strive to ensure political balance, from parties which share its values, in its elected member appointments.

(i) The Association shall fully indemnify the members of the National Council and the property trustees appointed pursuant to Section 10(b) against the following:

(i) Any personal liability arising out of contracts entered into by a member (where they were acting within the scope of their authority to enter into such contract);

(ii) All costs, expenses and other liabilities incurred by a member in relation to any property of the Association (including but not limited to any financial liability arising from any lease, license or similar arrangement in respect of the Association's premises);

(iii) Any claim(s) by a third party against a member where such claim relates to his/her Association duties and/or activities;

(iv) Any liability arising from a claim brought by an employee, agent or consultant of the Association;

(v) Any negligence or similar claim brought by a member local authority, associate member or other body provided that the National Council member was acting within the scope of authority granted to him/her by the Association.

6 Meetings

- (a) The full Association shall meet in January or more often if required. Meetings shall normally be called by notice in writing not less than fourteen days before the date of the meeting and the notice shall include the agenda of items to be discussed.
- (b) National Council shall meet in September, December, March and June with the provision that special meetings can be called if required. Meetings shall normally be called by notice in writing not less than fourteen days before the date of the meeting, the notice of which shall include the agenda of items to be discussed.
- (c) The AGM of the Association shall be held in September.

7 Quorum

- (a) A quorum for meetings of the Association shall be ten of the members entitled to be present and a quorum for meetings of the National Council of the Association shall be three of the members entitled to be present. Voting shall be on the basis of one authority one vote.
- (b) Any authority which has not paid its membership fees by the end of the calendar year in the relevant APSE year, shall cease to have voting rights in the name of the authority until such membership fees are paid in full (representatives of the authority will not, however, be excluded from Association meetings).

8 Areas/Regions

- (a) Each area/region shall elect its own chair and vice-chair, secretary and treasurer and a regional council. All areas/regions shall agree their own constitution after consultation with National Council, which shall incorporate the aims and functions of the National Constitution.
- (b) Areas/regions shall meet at least quarterly and hold their AGMs at least one calendar month before the National AGM. Areas/regions shall be entitled to levy a regional affiliation fee over and above the national rate.
- (c) (i) In any year when the National Chair is from outside England an English Chair shall be appointed from one of the three constituent English areas/regions for the purpose of lobbying in England.

(ii) The Chair shall be rotated round the three areas/regions on an annual basis when the National Chair is from outside England. The rotation shall start with the area/region of the first elected Chair and follow the rota outlined in section 4 (a) of the constitution.

(iii) The English Chair shall receive an annual personal allowance during their period of office.

9 Finance

- (a) Each member authority shall subscribe an annual membership fee.
- (b) The financial year shall be from 1 April to 31 March.
- (c) Member authorities/Associate members wishing to withdraw from the Association must give twelve months' notice in writing
- (d) A budget for the next financial year shall be presented for approval to the January meeting of the Association. This will include the setting of subscriptions.
- (e) An audited set of accounts shall be presented to the AGM of the Association.

10 Annual General Meeting

- (a) The annual general meeting of the Association shall be held during September each year at which meeting appointments of office bearers will be made.
- (b) For the purposes of the Association's premises lease only, the following four trustees shall be appointed on an annual basis:
 - (i) National Chair
 - (ii) National Secretary
 - (iii) Chief Executive
 - (iv) Head of Service nominated by the Chief Executive
- (c) The trustees appointed pursuant to Section 10 of the constitution shall be afforded the full protection of the indemnities contained in Section 5 (h) (i) and the insurances described in Section 5(b) (iii) in their capacity as trustees in addition to any other capacity they hold.

11 Minutes

Minutes of meetings of the Association and of the National Council shall be kept and shall be circulated to members prior to meetings of the Association and of the National Council.

12 Liaison

The Association shall liaise and maintain links with all its recognised areas/regions and authorities. To this end the National Chair and Secretary and the Chief Executive shall be entitled to attend area/regional meetings.

13 Standing orders and financial regulations

National Council shall be empowered to make Standing Orders and Financial Regulations to govern the conduct of meetings and the business of the Association.

The Association at its AGM may alter, repeal or make additions to Standing Orders and Financial Regulations.

14 Amendment

The Constitution may be amended with the assent of the majority of the authorities referred to in Section 3(a) attending and voting at the AGM or any other meeting of the full Association, notice having been given of any proposed amendments one calendar month before the AGM or full Association meeting.

15 Accountability

(a) The Chair or Secretary of any of the Association's Committee's can be removed by a vote of no confidence which is supported by two-thirds of those present at the appropriate committee. A motion calling for this course of action must be sent in writing to the Association's Chief Executive at least fourteen days in advance of such a meeting.

(b) Replacements will then be identified from those present and ratified at the next meeting of the Full Association.

(c) Chairs of any of the Association's committees and advisory groups shall be required to work to a role profile as agreed by the Association.