

**Constitution of the Association for Public Service Excellence
APSE Scotland
2023**

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 Association) within Scotland and who are in membership of the Association shall be known as 'APSE Scotland'.

2. Aims and Values

The Aims and Values of APSE Scotland 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 APSE Scotland, in addition to the national subscription, both of which will be collected by the Association each year. All 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 APSE Scotland must give 12 months' notice in writing.
- iii. For the avoidance of doubt any member authority wishing to withdraw from the Association must also give 12 months' notice in writing to the Chief Executive of the Association.
- iv. Authorities who are not members the Association may not participate or be members of APSE Scotland.

4. Functions

The functions of APSE Scotland 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, and APSE Scotland in the promotion of the future well being of direct frontline services, and their workforce, and the communities served by them.
- iv. To monitor, present legislation and any changes proposed thereto, to understand the implications, representing members and advocating on their behalf to the Scottish Government and other bodies and agencies as appropriate.

CONDUCT OF BUSINESS

5. National Council

- i. The Chair and the Secretary of APSE Scotland (or other persons appointed by them) shall represent APSE Scotland on the National Council of the Association.
- ii. Additional representatives to National Council shall be elected annually at the APSE Scotland 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 their staff nominee) shall be entitled to attend meetings of APSE Scotland and its Executive Council and to take part in the proceedings thereof, but not to vote.

6. Meetings

- i. APSE Scotland shall hold an Annual General Meeting each year at least one month in advance of the date of the Association Annual General Meeting.
- ii. Notwithstanding (i) above the chair of APSE Scotland may require that a Special Meeting shall be held at any time on such date and such time and venue as they may decide, for the transaction of urgent business, which in their opinion cannot properly be deferred until the next ordinary meeting of APSE Scotland.
- iii. All meetings of APSE Scotland 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 APSE Scotland 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 APSE Scotland 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 APSE Scotland 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 APSE Scotland shall hold office until their respective successors are elected.

(b) APSE Scotland 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 APSE Scotland, 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 APSE Scotland, the ruling of the Chair or the Vice Chair or other person presiding at the meeting on the conduct of the proceedings of the meeting shall be final.

8. Quorum

The quorum for all the meetings of APSE Scotland, shall be one third plus one of the members entitled to attend.

9. The Scottish Chair

- i. (a) The Scottish Chair and Vice Chair shall be elected for a period of two years.

(b) The Chair and Vice Chair of APSE Scotland shall work to a role profile as agreed by APSE Scotland Executive 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 elected for a period of two years.
- ii. Any extension to the term of office requires the agreement of the AGM.

11. The Scottish Secretary

- i. The Secretary of APSE Scotland, shall be elected for a period of two years.
- ii. Any extension to the term of office requires the agreement of the AGM.

12. The APSE Scotland Executive Council

- i. An Executive Council of APSE Scotland, shall be formed whose duties shall be to monitor and co-ordinate the activities and finances of APSE Scotland including the organisation of the Annual General Meeting.
- ii. The membership of the APSE Scotland Executive Council shall be the:-
 - Chair and Secretaries of each of the eight Service Areas.
 - APSE Scotland Chair
 - APSE Scotland Vice Chair
 - APSE Scotland Secretary and
 - APSE Scotland Financial Advisor
- iii. The APSE Scotland Executive 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 APSE Scotland Executive Council

The Executive Council 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. APSE Scotland shall form eight distinct service groups. These are:-
 - Building and Housing Services
 - Parks, Grounds and Street Services
 - Renewables and Energy Efficiency
 - Roads and Lighting Services

Commercialisation
Soft FM Services
Transport and Mechanical Services
Waste and Recycling Services

- ii. (a) The eight advisory groups will each have an elected Chair and Secretary, with a two-year term of office.

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

(c) The Chair of each advisory group shall work to a role profile as agreed by the Scottish Executive 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 APSE Scotland 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 must be endorsed by APSE Scotland.
- 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 Association and APSE Scotland 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 on time.

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 APSE Scotland, 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 APSE Scotland Secretary at least fourteen days in advance of this meeting. Thereafter, replacements will be identified from those present and ratified at the next APSE Scotland 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.