

El Patronato Insular Música tiene la cortesía/deferencia de proporcionar el texto de las presentes Bases en lengua inglesa. No obstante, se informa que la versión oficial de estas Bases es en lengua castellana, por lo que el contenido que resulta vinculante para todos los que deseen participar en la convocatoria es el establecido en esta lengua.

The Patronato Insular de Música has de courtesy to provide the text of these terms and conditions in English. However, we inform you that the official version of these rules is in Spanish, so the content that becomes binding for those who wish to participate in the appointment is the one established in this language.

TERMS AND CONDITIONS OF PUBLIC NOTICE OF SELECTION BY FREE APPOINTMENT OF A TECHNICAL DIRECTOR FOR THE PATRONATO INSULAR DE MÚSICA (ISLAND MUSIC BOARD), AN INDEPENDENT AGENCY OF THE CABILDO INSULAR DE TENERIFE (TENERIFE ISLAND COUNCIL).

FIRST.- PURPOSE OF THIS NOTICE

The purpose of these terms and conditions is to regulate the recruitment of a TECHNICAL DIRECTOR of the PATRONATO INSULAR DE MÚSICA (Island Music Board, hereinafter "PIM"), whose duties will consist generally of the ordinary and internal administration of the PIM, including management of personnel, and, in addition to performance of the duties set out in Article 15 of the Articles that govern the Agency, the technical and organisational management tasks described in the following paragraph, without prejudice to what the governing bodies may at any time determine.

The roles and responsibilities of the Technical Director of the PIM are as follows:

1. Development of the artistic project of the Tenerife Symphony Orchestra (hereinafter OST) in coordination with the Artistic Committee of the Orchestra and the competent body of the Cabildo Insular de Tenerife (Tenerife Island Council).
2. Technical and organisational management of the PIM.
3. Preparation and drafting of the draft Annual Budget as well as management and control thereof.
4. Authorisation of payments, within the limits established in the Budget Implementation Criteria that are approved for each fiscal year.
5. Administration and management of personnel assigned to the PIM.
6. Ensuring the smooth functioning of Orchestra services: administration, production, logistics, archive and artistic aspects.
7. Finding and negotiating sponsorships and other forms of public and private financing for the activities developed by the Agency.

8. Submitting to the Board of Governors proposals deemed necessary.
9. Implementation of the decisions of the Board of Governors, the meetings of which he/she shall attend without voting rights, and of any other tasks assigned to him/her by the Board of Governors.
10. Development of the activities plan and the overall programming schedule.
11. Proposals for booking soloists, choirs, conductors and other guest artists.
12. Supervision of staff and the worksheets of the components of each OST programme.
13. Proposals of activities and actions to promote and publicise the OST.
14. Accompanying the OST on trips and tours.
15. Management of OST participation in events, festivals and activities organised by third parties.
16. Marketing and promotion of the activity of the OST.
17. Any other task not described above and considered necessary for carrying out the scheduled activities to a level of excellence making efficient use of available human and material resources.

SECOND.- REQUIREMENTS

Applicants must meet the following requirements to take part in the selection process:

- a) Have Spanish nationality or that of another Member State of the European Union.
Persons included in the scope of International Treaties entered into by the EU and ratified by Spain implementing the free movement of workers may apply under the same conditions, as may foreigners with legal residence in Spain according to the provisions of Article 57, Legislative Royal Decree 5/2015 of 30 October, approving the consolidated text of the Basic Statute of Public Employees (application of the special regime of Royal Decree 240/2007 must be accredited, that of owning the residence card of a family member of an EU citizen or legal residence in Spain in other cases).
The spouse of a Spanish national, or of a national of a Member State of the European Union, may also participate, whatever their nationality. Their descendants, and those of their spouse, provided they are not legally separated, who are not under 21 of age or over that age and dependent, may also participate under the same conditions.
- b) Have reached 16 years of age and not be at the limit of retirement age as stipulated in applicable law.
- c) Not have any illness or physical or mental impairment that will hinder performance of the corresponding tasks. Disability shall be accredited by the corresponding official certification.
- d) Be a civil servant or employee of the public administrations with a university degree, or a professional of the private sector, with a university degree and with more than five years of professional experience in the latter case. In the case of degrees obtained abroad, the applicant must be in possession of the appropriate validation or certification of recognition, where appropriate.

- e) Speak, read and write in Spanish and English. To this end, applicants will be required to pass tests, in accordance with the provisions of the sixth clause.
- f) Have not been dismissed owing to disciplinary record from the service of any public administration or constitutional or statutory body of the Autonomous Communities, nor been disqualified from exercising public office. Applicants who do not have Spanish nationality must prove that they have not been similarly disqualified or equivalent, or that they have not been subject to disciplinary action or a criminal conviction that prevents them, in their State, from accessing public employment.

The above requirements must be met on the closing date of submission of the applications, and shall remain applicable until the date of execution of the contract, and the appointment of candidates who are disqualified on grounds of unfitness under current regulations shall be declared null and void.

THIRD.- SUBMISSION OF APPLICATIONS

Applications to the Executive President of the PIM shall be presented at the Registry of the Agency, located at the 3rd floor of TEA Tenerife Espacio de las Artes, Avda. San Sebastián number 8, within FIFTEEN (15) working days from the day following the publication of the notice in the BOP (Provincial Gazette) of Santa Cruz de Tenerife, and applicants must meet each and every one of the requirements by the deadline date set for submission of applications, attaching supporting documents relating to their claims along with the project referred to in the fifth clause.

Applications may also be submitted:

- At the registry of any administrative body belonging to the General State Administration, of any Administration of the Autonomous Communities, or any of the entities that comprise a Local Administration provided they have signed an agreement with the Cabildo Insular de Tenerife to this effect.
- At the Post Office, in the manner determined by its regulations.
- In diplomatic representations or consular offices of Spain abroad.
- At any other location stipulated by the provisions currently in force.

The application may be completed using the model attached to these rules or any other format containing data that are identical to those contained in the model.

The documents indicated below must be submitted with the application, bearing in mind that in the event that the documents are copies, they must be certified through duly authorised means in accordance with the law:

- a) Detailed and duly justified curriculum vitae, with photograph attached, detailing the applicant's career, languages and professional experience and the degrees, courses and diplomas, which will be evaluated, where appropriate, in the selection process.

- b) Certified photocopy of the applicant's national identity document. The applicants who do not have Spanish nationality and are entitled to participate must submit a certified copy of the document proving their nationality and, where applicable, must submit documents issued by the competent authorities that certify the family relationship and a sworn declaration or promise by the Spanish citizen or national of the EU or the State to which the free movement of workers applies with whom this relationship exists, that he or she is not legally separated from his or her spouse and, where appropriate, that the applicant lives at his or her expense or is under his or her guardianship.
- c) Certified copy of academic qualification(s), which, if obtained abroad, must have been recognised in Spain.
- d) Professional experience. In the event of circumstances that may be assessed in accordance with the provisions of the fifth clause, the system for accrediting professional experience will be as follows:
 - Accreditation of services in public administration: certificate of services issued by the competent body of the administration in which said services have been provided, indicating the legal nature of the relationship, the exact duration, type of responsibilities and tasks performed.
 - Accreditation of professional experience in public/private enterprises: Employment history report issued by the Social Security Treasury General for the period of registration and contribution group accompanied by a certified copy of the employment contract or certification of the legal nature of the relationship from the certifying company, the exact duration, type of responsibilities and tasks performed. The latter certification will be mandatory if the category belongs to the same professional field as the responsibilities and tasks required for this call, but does not exactly match the contribution name or group that corresponds to the position offered and, where applicable, the certification of the public status of said company.
- e) Certified copy of certificates of attendance at courses, or similar, related to culture management, and specifically, those with an emphasis on music.
- f) Certified copy of completed language course certificates.

To be valid in this selection process, the submitted documents must be issued in Spanish. In the case of documents issued in a foreign country, they must be duly translated by a sworn official translator.

FOURTH.- ADMISSION

After the application deadline, the Executive President shall issue, within a maximum period of fifteen days, a resolution declaring the approved list of admitted and provisionally excluded candidates, indicating the cause of exclusion, to be published on the bulletin boards of the PIM and on the website www.sinfoniacadetenerife.es.

The applicants will have a period of ten working days from the day following publication of the list to correct the objections raised. Once any potential appeals have been resolved, the Executive President shall make its final decision, having by implication accepted or rejected said appeals for rectification, which shall be published on the bulletin boards of the PIM, as well as on the website www.sinfonicadetenerife.es.

FIFTH.- SELECTION SYSTEM

The candidate will be selected by a system of free appointment.

To this end, selection shall be carried out in two phases:

The maximum achievable score is 10 points. A maximum of 4 points shall be allotted to the first phase and a maximum of 6 points to the second phase.

FIRST PHASE: Assessment of the CV and declared merits.

In the first phase, the selection committee shall carry out the assessment and subsequent selection, based on the curriculum vitae and documents supporting the merits as indicated below:

- a) Professional experience, holding management positions in the field of music through:
 - Management of symphony orchestras and/or at levels of continuous responsibility in the field of professional symphony orchestras.
 - Technical and administrative direction and management of agencies representing classical and/or symphony music artists.
 - Technical and administrative direction and management of theatres, auditoriums and performance spaces in which specific musical activity takes place.

This section will allot up to 0.4 points for each year or fraction thereof exceeding 6 months in managerial positions and those of responsibility listed above, up to a maximum 2 points.

- b) Have international contacts in the world of symphonic classical music related to orchestras, conductors and artists. To this end candidates may submit proof that is deemed appropriate (letters of accreditation from agencies, consulting for orchestras, festivals, competitions, etc.).

This section will be allotted 0.5 points for each document attesting this aspect to a maximum of 1 point.

- c) Knowledge of languages other than Spanish and English, allotting 0.5 points for each completed and accredited language, up to 1 point.

This phase will be eliminatory so applicants that are admitted to the second phase will have passed the first phase with a minimum score of 2 points.

SECOND PHASE: Presentation and defence of management and administration project for the Patronato Insular de Música and language test.

In the second phase, the candidates that have passed the previous phase must present and defend their project for the management and administration of the PIM and take a language test, as detailed below:

- A) The applicants must submit a project in writing on the management and administration of the Independent Agency, organising its activities as well as those of the OST, describing, inter alia, personnel management, the production framework and tours, the communication and dissemination policy, and all other matters deemed appropriate. The project should contain:
- a) Determination of the strategic areas of action.
 - b) Goals.
 - c) Operations Plan related to the purposes of the OST.
 - d) Socio-educational Plan.
 - e) Financial Plan, with particular attention to approaches to working in the field of patronage and sponsorship.

On the day of the presentation and defence of the project before the selection committee, the applicant must provide five print and electronic copies of their management project, prepared in advance. For the presentation, a PC (with Microsoft Windows 7 Professional operating system and MS Office 2003 or later software), projector and screen will be available to the candidate. The presentation may not exceed 20 minutes. The subsequent defence, in which the candidate shall answer questions from the Evaluation Committee, shall not exceed 20 minutes.

The selection committee, in their assessment of the project, shall take into account, among other aspects and capabilities, flexibility, organisational skills and initiative, planning skills, prioritisation, decision-making and conflict resolution, team leadership skills in developing and reviewing the implementation of strategies, policies and programmes that make it possible for the Orchestra to achieve the missions and objectives entrusted to it, communication and negotiation skills, and focus on teamwork and cooperation.

- B) Also in the second phase the selection body will assess the applicant's knowledge of English or, where appropriate, Spanish, and the other languages included in the CV.

A maximum score of 6 points will be allotted to the second phase, with a maximum of 4.5 points for the presentation and defence of the project, and a maximum of 1.5 points for the language test. To pass this second phase a minimum of three points, resulting from the combined score for both tests, will be required.

The successful candidate will be the candidate who obtains the highest score from the sum of the scores obtained in the two phases.

The dates and places of the presentation and defence of the project and the language test will be posted on the bulletin boards of the PIM and on the website www.sinfonicadetenerife.es.

SIXTH.- EVALUATION COMMITTEE

The Evaluation Committee for the selection process, whose composition will be determined by resolution of the Executive President of the PIM, to be posted on the bulletin boards of this Independent Agency as well as on the website www.sinfonicadetenerife.es will consist of an odd number of members, not less than five, with the same number of substitutes having been appointed. In all cases, the selection committee will include among its members at least two members of recognised professional prestige in the management and administration of institutions that promote and disseminate symphonic music. Each of the members shall have one vote, the Chair casting the deciding vote.

The Evaluation Committee shall also be attended by a secretary with no voting power, a position to be filled by a designated public employee of the staff of the PIM or the Cabildo Insular de Tenerife.

Each member will act individually, and may not act in representation or on behalf of anyone, and the composition and actions of the Evaluation Committee shall be bound by the principles of impartiality, professionalism and the expertise of the members. In keeping with the latter principle of expertise, all members must have a degree level that is equal or superior to that required for admission to the post being advertised in this notice.

Similarly, pursuant to the provisions of Article 60 of the consolidated text of the Basic Statute of Public Employees, the composition of the committee shall aim at parity between men and women, and no personnel that have been elected or politically appointed may sit on this selection committee, nor may interim civil servants or temporary staff.

The members of the Evaluation Committee must refrain from intervening and the applicants may challenge them in the event that the circumstances described in Articles 28 and 29, respectively, of Law 30/1992 of 26 November, regulating the Legal Regime of Public Administrations and Common Administrative Procedure should arise.

In the absence of both the Chair and their substitute, the former shall appoint from among the Members with voting rights one substitute to replace him or her. In the event that the Chair fails to appoint anyone, their replacement will be chosen by applying the rules set forth in Article 23.2 of Law 30/1992 of 26 November.

The Evaluation Committee shall not be constituted or act without the presence, at least, of the Chair and the Secretary or their substitutes, and at least half of the remaining members, be they incumbent or substitute, although the

substitutes may intervene only in cases of justified absences and cannot therefore act concurrently with the incumbent member.

The decision resulting from the selection procedure must be reasoned. The motivation of decisions made by the selection committee by virtue of the technical discretion in performing the evaluation shall comply with regulations and the conditions of this notice.

The selection committee is subject in its constitution and its acts to the rules laid down for collegiate bodies in Law 30/1992 of 26 November, observing impartiality throughout the selection process, as well as the principles of equality, merit and ability.

For the purposes of remuneration to members of the selection committee for their attendance, this shall conform to the provisions of Clause 85 of the Budget Implementation of the Cabildo Insular de Tenerife, which is applicable to its independent agencies; the selection committee is classified as first category.

SEVENTH.- APPOINTMENT

The Technical Director shall be appointed by the Board of Governors of the Patronato Insular de Música, at the proposal of the selection committee, and must present within thirty (30) working days the original or duly certified copies of the documents certifying the capacity required by clause three. He or she shall take office within the same time period.

EIGHTH.- CONFIDENTIALITY

The absolute confidentiality of participation of the candidates in this selection process will be ensured, as well as all of their personal and professional data, ensuring that participation of the candidates that are not selected shall be confined to the selection committee, which shall only publicly name the successful candidate.

NINTH.- NATURE OF CONTRACT AND APPLICABLE LAW

The contract for provision of services shall be an employment contract and will be governed by the provisions of Royal Decree 1382/1985 of 1 August regulating the special employment relationship of SENIOR MANAGEMENT STAFF, the Revised Text of the Workers' Statute only being applicable in cases where the Royal Decree makes express reference thereto, or is thus stated in the contract.

In matters not regulated in the contract and in the aforementioned Royal Decree, the provisions on civil and commercial law and its general principles shall apply.

TENTH.- DURATION OF CONTRACT

The duration of the contract shall be TWO YEARS, including a trial period of SIX MONTHS which may be extended at the end of the term by express agreement between the parties within this period, and may be terminated by the President of PIM, pursuant to prior agreement by the Board of Governors thereof, if found in breach of its obligations or guilty of professional negligence.

The extension should be explicitly agreed upon, and only in exceptional circumstances may be understood tacitly to have been extended for a one-year period.

ELEVENTH.- REMUNERATION

The total fixed or variable annual remuneration, if applicable, to be received by the person hired to fill the advertised position shall be as provided in the personnel annex to the PIM Budget for said position.

In all cases, the aforementioned total remuneration shall be in accordance with the provisions of applicable law and shall respect the remuneration limits provided by the classification approved by the Cabildo Plenary on 31 July 2015 for the Groups listed in Additional Provision Twelfth of Law 7/1985 of 2 April regulating the Bases of Local Government, amended by Law 27/2013 of 27 December on the Rationalisation and Sustainability of Local Administration. The maximum remunerations applicable to PIM are those laid down for Group III of said classification.

However, with effect from the first of January each year, the basic salary will rise in line with the increase established in the Law on General State Budgets for the personnel of public administrations, always within the classification group, as well as the modifications in connection with these matters that are introduced by the collegiate bodies of the Cabildo Insular de Tenerife and those determined in the Budget Implementation Criteria approved annually by the Cabildo.

TWELFTH.- WORKING DAY AND TIMETABLE

Working time, in terms of working hours, timetable and public holidays, is set out in the Revised Text of the Workers' Statute. However, due to the responsibilities of the job, he or she shall have to provide their services during the afternoon/evening, on Saturdays or public holidays when meetings, sessions of the governing bodies, concerts, tours and other representative acts of the PIM or related to the responsibilities inherent to the position, so require, or when the demands of the position of Technical Director may on occasion require a longer working day than normal. For services rendered outside normal business hours the employee will not receive any additional compensation for any reason.

THIRTEENTH.- HOLIDAYS

The Technical Director is entitled to twenty-two working days paid annual holiday leave or the corresponding proportional share for time of service, if appropriate.

FOURTEENTH.- DEDICATION

The Technical Director shall be dedicated exclusively to this position, which shall be incompatible with the exercise of any paid profession, either exercised freely or in performance of any office or position of the public administration or in the service of private entities or individuals.

FIFTEENTH.- OTHER RIGHTS OF THE EMPLOYEE

The rights pertaining to permits, licences and other benefits provided for in the Revised Text of the Workers' Statute shall be applicable to the employee, in accordance at all times with the nature of his or her office, and requiring the prior approval of the governing body.

SIXTEENTH.- OBLIGATIONS

The Technical Director is obliged to perform the services that his/her position demands with the utmost diligence and cooperation, subject to the orders or instructions adopted by the governing bodies of the PIM in the regular course of their management duties.

SEVENTEENTH.- OFFENCES AND PENALTIES

The employee shall submit to the disciplinary procedures and penalties set forth in the Revised Text of the Workers' Statute.

EIGHTEENTH.- TERMINATION OF CONTRACT

The special senior management employment contract that is entered into with the Technical Director shall be terminated:

- a) By mutual agreement of the parties.
- b) By the employee of his or her own free will, who must in this case give FIFTEEN calendar days notice, the PIM being entitled, in the event of total or partial breach of duty of notice, to compensation equivalent to the salary corresponding to the duration of the period of noncompliance.
- c) By decision of the competent body of the PIM to withdraw from the contract, with FIFTEEN calendar days notice, the employee being entitled to compensation equivalent to the salary corresponding to the duration of the period of noncompliance, in the event of total or partial breach of the notice period.
- d) In the other cases provided for in Articles 10 and 11 of Royal Decree 1382/1985.

There shall be no compensation for termination of the special senior management relationship, except in the case of withdrawal by the employer before the

expected date of termination under the following terms and within the following limits:

- The compensation may in no case exceed 7 days per year of service, with a maximum of six monthly payments; in the calculation of compensation, incentives and variable supplements, if any, are excluded.
- In no case shall there be compensation when the senior manager holds the status of civil servant or is on the staff of any Public Sector Administration or Entity, with a reserved right to their job.

NINETEENTH.- JURISDICTION

The conflicts that may arise between the employee and the PIM as a result of compliance with the contract will fall under the jurisdiction of the labour courts, as indicated in Article 14 of Royal Decree 1382/1985.

TWENTIETH.- INCOMPATIBILITIES

The Technical Director may not participate as a voter or stand for the representative bodies regulated in Part II of the Revised Text of the Workers' Statute.

TWENTY-FIRST.- CHALLENGES

Judicial review proceedings may be brought against the Resolution approving these Terms and Conditions and public notice before the corresponding Courts within the time limits established in Law 29/1998 of 13 July, regulating the jurisdiction for judicial review, following a discretionary appeal for administrative reversal to the President of the Cabildo Insular de Tenerife within one month from the publication of the same, in accordance with Articles 107 and 116 of Law 30/1992 of 26 November, regulating the Legal Regime of Public Administrations and Common Administrative Procedure.

Interested parties may bring the appeal referred to in the preceding paragraph against the resolutions and procedures of the Evaluation Committee, if they directly or indirectly decide the merits of the case, determine the impossibility of continuing the procedure, produce defencelessness or irreparable damage to legitimate rights or interests.

TWENTY-SECOND.- APPLICABLE PROVISIONS

All cases not provided for in these terms and conditions shall be subject to the provisions in:

- Legislative Royal Decree 5/2015, of 30 October, approving the consolidated text of the Basic Statute of Public Employees.

- Royal Decree 896/1991, of 7 June, on Basic Rules and Minimum Programmes with which the selection procedure of Local Administration Officials must comply.
- Royal Decree 364/1995, of 10 March, approving the General Regulation on Admission of Personnel to the Service of the General State Administration, of supplementary character.
- Law 7/1985, of 2 April, regulating Local Government.
- Royal Decree 781/1986, of 18 April, approving the consolidated text of the applicable legal provisions on Local Government.
- Law 30/1984, of 2 August, on Measures for the Reform of Public Service.
- Law 2/1987, of 30 March, on Canary Islands Public Service.
- Royal Decree 240/2007, of 16 February, on the entry, free movement and residence in Spain of citizens from EU Member States and other states party to the Agreement on the European Economic Area.
- Royal Decree 1382/1985, of 1 August, regulating the Special Employment of Senior Management Personnel.
- Law 30/1992, of 26 November, regulating the Legal Regime of Public Administrations and Common Administrative Procedure.
- Royal Decree 462/2002, of 24 May, on compensation for service and other related provisions.

SINGLE ANNEX



EXCMO. CABILDO INSULAR DE TENERIFE PATRONATO INSULAR DE MÚSICA

FIRST SURNAME	SECOND SURNAME	NAME	
ID / PASSPORT	NATIONALITY	BIRTH DATE	
ADDRESS		POSTAL CODE	
CITY		PROVINCE	
PHONE NUMBER	EMAIL		

ANNEX

The undersigned hereby **APPLIES** for admission to the tests for selection and temporary employment of **TECHNICAL DIRECTOR OF PATRONATO INSULAR DE MÚSICA (ISLAND MUSIC BOARD)** and **DECLARES** that the information contained therein is truthful and meets the conditions required for access to public service and those especially mentioned in the aforementioned notice of employment, referring to the deadline date for submission of the application, and agrees to produce documents to support all the data contained in this application.¹

¹ According to the Organic Law 15/1999 of 13 December on the Protection of Personal Data, we inform you that your data will be included in a data file for the internal use of this Independent Agency. The data are the responsibility of the Patronato Insular de Música, which you may contact in writing to exercise your rights of opposition, access, rectification and deletion of personal data.

