



REPUBLIC OF INDONESIA

~ Country Paper ~

**People's Participation on
Public Service Accountability in Indonesia**

**National Civil Service Agency
Republic of Indonesia
14 - 15 November 2012
Manila - Philippines**

PEOPLE'S PARTICIPATION ON PUBLIC SERVICE ACCOUNTABILITY IN INDONESIA

I. INTRODUCTION

The 1945 Constitution (UUD 1945) mandates the government as the authority of the Republic of Indonesia to establish just and prosperous, law-abiding, modern-civilized, democratic, and moral society. The UUD 1945 also mandates local governments, as the organizers of local government affairs and the Regional House of Representatives (DPRD), to arrange and manage their governmental independently as well as to carry out the duty of assistance pursuant to autonomy principles of the Republic of Indonesia. It is aimed to accelerate the realization of public welfare through service improvements, empowerments, community participations, and local competitiveness improvements pursuant to the principles of democracy, equality, justice, privilege and speciality of a region within the country system of Republic of Indonesia.

To this end, it requires state apparatus' human resources with a spirit of serving as civil servants, providing fair and equal service, keeping the nation's unity, as well as giving full loyalty for on Pancasila and the UUD 1945. Thus, the Civil Servants (PNS) has a strategic role and function to drive the functions of government in a civil service system.

II. CIVIL SERVICE SYSTEM

The Indonesian civil service system adopted the unified system as well as the separated system at once, i.e. there are certain civil service authority roled by the central government and by the Local Government (known as decentralization). Under the unified system, the civil service system is regulated by the Law 43 of 1999 on the Ordinance of Civil Service, while the separated system is regulated by the Law 32 of 2004 on Regional Government.

In Indonesia, there are three kinds of Public Service, i.e. PNS, members of the Indonesian military (TNI) and members of the Police of the Republic of Indonesia (POLRI). PNS comprises the central and regional PNS. The Central PNS are managed by chairmen in Ministries/non-ministries, while the regional PNS are managed by the governors or regent or city mayor. Meanwhile, the human resources management for TNI and POLRI is regulated by particular law since they role as an governmental instrument for keeping national security and public order.

The tasks of public servants, as mandated by particular law, are to deliver service to people by professional, fair, just and equal execution of national, governmental, and developmental duties. The people are expecting excellent service, demanding every managing unit on public service to have continuous surveys on people's satisfactory level in order to get beneficial feedbacks from service users (people) and providers.

III. REGULATIONS ON PUBLIC SERVICE AND OPENNES OF PUBLIC INFORMATION

1. PUBLIC SERVICE

Public services in Indonesia is regulated by Law 25 of 2009, aimed on setting up clear limitation and correlation of the rights, responsibilities, obligations, and authorities of all parties related to the provision of public service; setting up a system for the provision of public service in accordance with general principles of governmental and corporation; ensuring public service delivery pursuant to enacted laws and regulations, as well as establishing the protection and legal certainty in public service delivey. Thus, the least standard of public service providers are as follows:

- a) *Service officers,*
- b) *Public complaints management,*
- c) *Information management,*
- d) *Internal Monitoring,*
- e) *Elucidation for people, and*
- f) *Consultation services.*

a. Service Standards

All public service providers must include people and respective parties' participations in determining service standard by considering the non-discriminative principles, the direct standards for each type of service, the competency standards of service providers, and upholding the principle of deliberation and diversity.

b. Managing Behavior in Service

In delivering public services, the Law 25 of 2009 also regulates the behavior of service officers to be

- a) fair and non- discriminative,
- b) careful, polite and friendly,
- c) explicit,
- d) reliable,
- e) avoid protracted process of deciding,
- f) professional,
- g) not complicating,
- h) comply on reasonable orders from managers,
- i) uphold the institutional integrity and accountability,
- j) keep confidential information and documents pursuant to enacted law and regulation,
- k) uphold openness and take appropriate steps in preventing conflicts of interest,
- l) should not misuse of the public service infrastructure and facilities,
- m) should not give false or misleading information for inquiries, and should actively fulfilling public interests,
- n) should not misuse one's positional information and authority accordingly, and
- o) should not deviate from the procedures.

c. Service Principles

To improve the service flexibility and to revitalize the service unit functions, below are concrete steps of the service principles.

a) Facilitating

The public is facilitated and encouraged to have initiation and creativity and to express their potential and aspirations by reducing any barriers and obstacles.

b) Serving

Public servants are empowered to have the spirit of serving the public by improving their welfare, competency of knowledge and skills, and behavioral attitudes for the customer-oriented mindset.

c) Participation and partnership

The public community is involved in the process of public goods and service procurements by developing partnerships and sharing patterns with the government. This is also associated with the concept to construct a framework of development management partnership, to decentralize the decision-making process and to foster community self-reliance.

2. PUBLIC INFORMATION OPENNES

It is the right of every individual to be able to access an information, making the public information opennes as one character of a democratic country that upholds the sovereignty of the people to establish a good governance as well as to optimize public supervision on the executions of governmental affairs an public interests.

Indonesia regulates the public information opennes by the Law 14 of 2008, aiming at the objectives to:

- a. secure the citizens' right to know the latest plan on arranging public policies, public policy programs, and on making public decision as well as on reasoning a public decision to be made;
- b. encourage the society participation on the making of public policy decisions and on managing public agency accordingly;
- c. establish a transparent, effective and efficient, accountable and liable good governance;
- d. access the information of influencing public policy to people's life;

- e. develop scientific knowledge and to form intellectual life of the nation, and / or
- f. enhance the management and services of information within the public agencies to deliver qualified information services.

The law states that every public body is obliged to allow all society to access public information. The public agency means an executive, legislative, judicative and other agencies whose funds are arranged in the State Budget (APBN) and/or Regional Budget (APBD) or a non-governmental organization (NGO) with or without legal basis such as Society NGOs, and other organizations whose funds are arranged in the APBN and APBD and / or overseas fund sources.

Allowing public society to access information means allowing public agencies to be motivated on taking responsibilities and delivering customer-oriented services. Thus, it can be expected to accelerate the establishment of open government as strategic effort to overcome corruptions, (KKN) and to create good governance. In addition, the mechanism and implementation of openness principles would also create transparent and accountable public participations to achieve democratic goals.

IV. IMPLEMENTATION OF PUBLIC SERVICE IN INDONESIA

a. Regional Commitment to Public Service

In enhancing the local government public service, since the autonomous period of 1999 up to present day, there is a shared commitment with the people in the form of stipulated service mechanism for actual conditions in the society, as well as service standard that has been mutually arranged by service provider (government) and users (the people). Accordingly, to ensure the fulfillment of people's basic needs, the local governments has also stipulated local regulations on local public service delivery in order to provide and organize a chance for the people to share their complaints and grievances, as well as to provide communication networks between them and the government. In effect, the local governments takes many grievance / complaints / suggestions from the public, either sent by person, through the telephone lines provided or the

mass media, and afterwards gives responds by formulating a solution on the prioritized needs of people.

b. Examples of Local Government Public Service Program

The local government delivers many diverse and dynamic public service programs, such as the 'Best Practice on Public Service' program which will be documented and used as a medium of communication among regions to share innovations on services. Along its development, the medium to build regional cooperation is growing, as shown by the followings:

- 1) Provincial Public Service Commission in the East Java,
- 2) Special Team for Complaints Handling in the *Dokter Soegiri* Regional Hospital (RSD) Lamongan,
- 3) The State Gas Company Ltd. of Surabaya District in Gresik,
- 4) The 'Samsat B' Joint Office in Surabaya,
- 5) Efforts of Palembang towards the Clean, Green, and Blue City;
- 6) Controll of Air Pollution and Environmental Management in Yogyakarta to overcame Climate Change effects,
- 7) The Electronic Procurement Service (LPSE) in the Procurement Services Unit (ULP) of Yogyakarta,
- 8) Welfare improvements using Local Health Insurance (Jamkesda) in Balikpapan city,
- 9) The Energy Efficiency, Clean, and Green Program for prospectus investment in Probolinggo to overcome the effects of climate change and environmental destructions,
- 10) Integrated waste treatment in Probolinggo,
- 11) Managing street vendors (PKL) Probolinggo;
- 12) Managing public transportation (ANGKOT) shifting in Sukabumi to reduce traffic jams and emissions, as well as to raise ANGKOT drivers and owners income,
- 13) Privatized managements of assets and services on harbour area of Tarakan City,
- 14) Community empowerment for waste treatment in Surabaya;
- 15) Waste collection and transportation services in Padang;

- 16) Clean Development Mechanism (CDM) program as joint management on garbage dump (TPA) in Batulayang, Pontianak city,
- 17) Development of information and communication technology of Pangkalpinang city towards smart education (SmartEdu),
- 18) The revolving funds distribution program to develop the Micro and Small Cooperative Enterprises in Bontang city,
- 19) Conflict-free relocation of PKL in Monjari, Surakarta city,
- 20) Reliefs on building or renovating uninhabitable houses for the poors in Surakarta city,
- 21) Primary School Regrouping Program in Sukabumi city,
- 22) Communal washing, bathing, and toilet facility (MCK) plus-plus project to improve the quality of SANIMAS (community-based sanitation) in Mojokerto;
- 23) House renovation in Mojokerto city style.

Below are brief elaboration of the first 4 examples of public service hold by local governments:

1) Provincial Public Service Commission in the East Java

To solve any disputes of public service between the providers and customers, the East Java established Provincial Public Service Commission by stipulating the Regional Regulation 11 of 2005. The Commission is an independent, professional and non-structural organization, assigned to receive public complaints and to evaluate the performance of public service providers. Those public complaints, protests, disappointments and dissatisfactions are sent by the people through a complaint form for further follow-up and verifications on the complaint and mediation. Afterwards, the thoughtful recommendations on the matters are sent to the public services provides, with a carbon copy to the Governor and DPRD.

2) Special Team for Complaints Handling in the *Dokter Soegiri* Regional Hospital (RSD) Lamongan

To improve the public service quality to be excellent, transparent and accountable, there are efforts made to develop the available systems and procedures of public service delivery through transparent,

coordinated, direct and precise complaints settlements mechanism in the *Dokter Soegiri* RSD. Thus, a team has been formed with the duties to:

- a) provide public information services for all costumers of the Hospital, either externally or internally,
- b) monitor and evaluate each and every complaint settlements, and
- c) report the files on the complaint settlement results and the other matters related to the public service to the Regent of Lamongan.

This way allows people to gain clear information on responsible unit and its procedures to accommodate their complaints and responses.

3) The State Gas Company Ltd. of Surabaya District in Gresik

This company delivers the following forms of service innovation:

- a) The Call Center service, which serves to ease information accesses for customers,
- b) The Online Go Payment service, which serves as electronic payment system through banking facilities such as Automatic Teller Machines (ATMs), e-banking, and Short Message Service (SMS) banking,
- c) Early Warning System service, which serves through the control room facility, and
- d) Technical Problem services, which serves to respond any difficulties suffered by customers.

4) The 'Samsat B' Joint Office Surabaya

This office serves as various POLRI public services delivery to the people. The services comprise the Vehicle Registration Card (STKN) and driving liscence (SIM) processing at once, aimed to prevent prolonged process time and illegal scalpers. Accordingly, the office offers the people a service that can save time and money as well as opportunity for them to give direct review on the services whereas the results will be shown directly.

c. People's Participation for Accountable Public Service

Government took several real steps in involving the people to improve the accountability of delivered service functions as follows:

- 1) Involving the people / NGO in assessing service performances;
- 2) Giving appropriate responds on people's complaints / suggestions / opinions on the services;
- 3) Involving people in organizing several public services;
- 4) Involving people to review / analyze the stipulated government policy on public service; and
- 5) Stipulating people satisfactory indexes.

Those points provoke many innovations on increasing people's participations for accountabled public services to encourage the central and local governments to continuously enhancing their service delivery quality. Innovations such as the Best Service awards, the Society Supervisory Information System (known as the TP 5000), SMS to the President, and People Satisfactory Indexes (IKM), are further elaborated in the followings:

a) The Best Service awards

To stimulate or encourage service quality/performance improvements, the central government stipulates a policy on reward and punishment for central and local service units, including the State Owned Enterprises (BUMN) and Regional-Owned Enterprises (BUMD), for their public services. The appraisals for the award are carried out by an evaluator team comprising the people as well as the respective government agencies and NGO's such as the Indonesian Costumer Service Foundation (YLKI), the University of Indonesia, the *Media Indonesia*, *Republika*, and *Suara Pembaruan* newspapers. The people are given the opportunity to appraise the public services since they are the direct customers of the delivered services. Accordingly, the appraisals are carried out by

- ❖ conducting a survey of questionnaire results from customers whom directy filled the forms;
- ❖ observing and appraising directly on the objects / service fields to identify the service components and performances;

- ❖ monitoring opinion / report / complaint / information from the customers whose messages are given directly or sent through a mass media.
- ❖ meetings with respective agencies and NGOs on public service matters.

From the above, it is expected that the public service units can maintain and improve their performance as additional value on their service delivery and encourage welfare for the people.

b) Society Supervisory Information System (TP 5000)

The 'Tromol Post 5000' or known as the TP5000 is a mail address that serves as an integrated government program to allow people to request information, submit complaints and suggestions directly to government institution by mail.

c) SMS to the President

Indonesian citizens can send direct sms to President Susilo Bambang Yudhoyono on 9949, derived from His Excellency's date of birth on 9 September 1949. The messages are likely read directly by the President and the urgent ones will be responded. The President considers that this is important for him to be able to monitor his people directly, especially for the following matters.

- ❖ The broken and damaged roads and highways that have been neglected from any maintenances;
- ❖ Heavy traffic jams that needs urgent solving, especially in the capital city of Jakarta;
- ❖ Bribery and disorders in the processes of administering important letters or licenses; and
- ❖ Indications of corruption by government officials (to be send with reasonable data).

d) People Satisfactory Index (IKM)

The IKM serves as indicators for the government to measure people's satisfactory level on the investment service, such as investment permits processes for attaining the. Trade Business License (SIUP),

Industrial Business License (IUI), Industrial Registry (TDI), Disturbance Permit, Location Permit, and Tourism Business License (for hotels and restaurants).

The IKM measures the following 14 service elements:

- ❖ Service procedures,
- ❖ Terms of service,
- ❖ Settled service officers;
- ❖ Discipline of service officers;
- ❖ Responsibility of service officers;
- ❖ Capability of service officers;
- ❖ Speed of service;
- ❖ Justice of service;
- ❖ Hospitality of service officers;
- ❖ Reasonable service charges;
- ❖ Fixed service charge;
- ❖ Fixed schedule of service procedures;
- ❖ Comfort of service areas; and
- ❖ Service convenience.

V. CLOSING

The people's participation for accountable public services in Indonesia, is depended on how governments' responds and capability to meet the people's basic needs and rights. The central government serves to formulate macro regulations as in the arrangements of national development objectives, strategic plans and facilitation functions. Meanwhile, the local governments are allowed to take responsibility on any public service innovation for their society based on their actual conditions. Such model emerges many innovations on public service improvements as further references for other regionals' development. In principle, the continuous innovation, improvement and completion based on each region's capability.
