

The Role of Ombudsman in Improving Accountability of Government Public Services

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Abstract—The problem of public services in Indonesia is still a thorny problem. The accountability aspect is the main focus in improving the quality of public services where the government must explain openly, completely, and fairly, and be accountable to the public. This study aims to answer how the role of the Ombudsman as a public service supervisor in increasing the accountability of government public services. This research is a case study of West Sulawesi. By using Romzek and Dubnick's accountability theory, this study tries to describe the accountability that occurs in government and then tries to see the role of the Ombudsman in increasing that accountability. The sampling method uses snowball sampling where we will conduct interviews with representatives of the Ombudsman from West Sulawesi. The results showed that the role of the Ombudsman in improving public service accountability was still low. With the type IV accountability scenario, the Ombudsman is still lacking in efforts to encourage increased accountability. The low role is due to the authority mandated by law and the absence of a reward and punishment system for taking corrective actions or recommendations issued by the ombudsman.

Keywords—Ombudsman, accountability, public services

I. INTRODUCTION

The state should fulfill the basic needs and civil rights of its citizens. To fulfill these obligations, the state through the government provides excellent public services. Unfortunately, in the context of its implementation, public services in Indonesia are still far from expectations. The convoluted, uncertain, costly, and long portrait of public services is a common picture. Public service complaints are inevitable from this poor image of public services.

The poor administration of public services that occurs cannot be separated from poor governance. This is indicated by Indonesia's corruption index in 2019 which is still at point 40 and perched at position 85 out of 198 countries [1]. Besides, the lack of public access to public information has worsened public service delivery [2]. From the human resources side of the apparatus, the incompetence of the bureaucracy in providing public services is a big scourge for its implementation. Poor public services can have a very broad impact because they touch all public spaces in economic, social, political, cultural, and other life.

To overcome this condition, it is necessary to make efforts to improve the quality of the implementation of public services continues to realize excellent public services because public services are the main function of the government which is best provided by officials [3]. The application of the principles of good governance is deemed necessary to realize this ideal. One aspect of good governance that needs to be improved is the aspect of accountability. Paul [4] stated that developing countries need sufficient accountability for the effectiveness and efficiency of public services. Research conducted by Siddiquee [5] found that promoting accountability can eradicate corruption in improving public service delivery.

Traditional public accountability mechanisms, such as inadequate to ensure the implementation of accountability itself. Paul [3] offers a voice mechanism to increase public accountability in monopolistic and unavoidable public services. Indonesia itself has formed the National Ombudsman Commission (KON) through Presidential Decree No. 44 of 2000 as a medium that can channel public complaints more effectively, cheaply, and easily accessible to all groups.

The birth of the Ombudsman of the Republic of Indonesia is a stepping-stone to improving good governance in Indonesia. The existence of an Ombudsman is expected to be able to maintain every side of administrative activities and be oriented to mutually support improving public services. The implementation of good governance is the main prerequisite for realizing the aspirations of society to achieve the goals and ideals of the nation and state. In this regard, the community has the right to obtain quality services following the principles and objectives of service, to know the service system, mechanism, and procedure, and to receive responses to complaints that are properly submitted and to receive advocacy, protection, and fulfillment of services.

This study aims to answer how the Ombudsman's role in improving the accountability of government public services. The purpose of this research will be achieved by describing the accountability of public services using the theory of Romzek and Dubnick [6] and then paying attention to the role of the Ombudsman in increasing this accountability based on the types described in the theory. By getting this picture, the Government can evaluate the role of the Ombudsman as

mandated in Law No. 25 of 2009 as a supervisory agency for the delivery of public services. This is important for improving public services as the state's obligation to meet basic needs.

II. RESEARCH METHODS

This study uses a qualitative approach to get an overview of the research questions with a case study design. Sources of data were obtained from interviews and a review of documents taken from the study locus, namely the West Sulawesi Representative Ombudsman. Determination of respondents using snowball sampling where we will conduct interviews with Ombudsman representatives of West Sulawesi. From the results of the interview, the researchers determined the OPD / reported sources who were mentioned as having many public service complaints. The requirement for OPD / reported resource persons is OPD who has public service complaints so that researchers can explore how the Ombudsman's role in improving public service accountability. Observation and document review will also be carried out in the form of reviewing documents related to the type of public service accountability that occurs in the agency and seeing the Ombudsman's role in improving public services.

This study was analyzed using the Miles and Huberman model. Data analysis was carried out starting from the time of data collection until after data collection was complete. At the time of the interview, the researcher has analyzed the results of the interview, if the interview answer is not satisfactory, the researcher will continue the question again, until he can answer the research problem formulation, so the data is considered saturated.

III. FINDING AND DISCUSSION

A. *Ombudsman Phenomenon in Improving Public Service Accountability*

UNDP, quoted by Sedarmayanti [7], defines accountability as a prerequisite that any activity related to the public interest needs to be accountable to the public. From these two explanations, the public interest is broadly the main point of accountability. This is in line with what Peters [8] stated that accountability tends to be how an organization has relationships as an entity with parties outside the organization.

Mahmudi [9] explains that public accountability is the obligation of the agent (government) to manage resources, report, and disclose all activities and activities related to the use of public resources to the mandating party (principal), as well as interested parties. The main emphasis of public accountability is the provision of information to the public and other constituents who are stakeholders. This is reinforced by the definition of the State Administration Agency which explains that accountability is constructive among the domains of the state, private sector, and society [10].

Ombudsman is a state institution that has the authority to supervise the implementation of public services, both those organized by state and government administrators, including

those organized by State-Owned Enterprises, Region-Owned Enterprises, and State-Owned Legal Entities as well as private or individual bodies assigned the task of providing certain public services. Some or all of the funds come from the state revenue and expenditure budget and/or the regional revenue and expenditure budget. The Ombudsman is formed to oversee the administrative activities of the executive branch with the overall goal of improving the performance of public administration and increasing government accountability to the public [11]. These objectives will be achieved when the ombudsman receives and investigates complaints from the public impartially regarding the implementation of government administration and generates an apology, compensation, or gives citizens what they are entitled to. Or, when the complaint is justified, the ombudsman provides recommendations that seek to change laws, regulations, and/or organizational structure, procedures, and personnel.

B. *Accountability Phenomenon at Dinas Pendidikan Provinsi Sulawesi Barat*

The problem that occurred in the Dinas Pendidikan that the Research Team discovered during interviews with the Ombudsman Sulawesi Barat and the Dinas Pendidikan Provinsi Sulawesi Barat was the unaccountable Acceptance of New Students (PPDB). The community complained about the PPDB process that was not carried out online so it is still happening. In addition to the problem of unaccountable new student admissions (PPDB), the implementation of BOS funds has also become a hot topic. In the administration of BOS funds, the payment of temporary teachers was a point that did not escape the source of problems because the BOS fund administration posts contained the payment of honoraria for temporary teachers. Another problem is related to the teaching staff. The important point in this matter is mutation. The lack of transparency in the mutation process and maladministration that occurs is a matter of much concern. Based on this problem, the research team decided to focus on these three big problems, namely PPDB, the administration of BOS funds, and the transfer of educators within the West Sulawesi Provincial Education Office.

C. *Ombudsman Response to Public Complaints at Dinas Pendidikan*

The Ombudsman has responded to complaints about public services in the education sector. The Ombudsman seeks to facilitate interested parties such as the Education Office and students for the PPDB case. In the case of BOS funds and the transfer of teaching staff, the Ombudsman also conducted conciliation between the Education Office and the teaching staff. The Ombudsman analyzes these problems and issues the necessary corrective actions, such as implementing PPDB which should be carried out online to avoid fraud in the process. In administering BOS funds, relevant agencies were asked to clarify the use of BOS funds. In the case of the transfer of teaching staff, the transfer of teaching staff that is not under the procedure is requested to be returned to a position that is not detrimental to the teaching staff.

D. Follow-up Ombudsman Responses

The Education Office has issued a response to the corrective action issued by the Ombudsman. In the case of the transfer of teaching staff, the relevant office has made a transfer that does not prejudice the rights of the teaching staff. For the use of BOS funds, the related agencies elaborate the rules for the use of BOS funds with various percentages of their use. The Education Office missed the meaning behind the complaint on the use of BOS funds, the existence of temporary teacher honoraria that did not meet the minimum wage standard. Besides, the PPDB process, which is recommended for online processes, cannot be implemented by schools due to budget constraints. Internet service providers cannot assist the implementation of PPDB online if less than 24 schools are joining. The education office has not yet carried out a follow-up plan for the implementation of PPDB which is problematic every year. The efforts to implement PPDB online are left to the schools concerned.

Looking at the explanation above, the accountability type scenario from the Education Office can be said to be a type IV scenario. In this type, the related agency assigns responsibility to other agencies to carry out tasks that are the responsibility of the agency. Besides, taking refuge behind the rules is a form of avoiding responsibility without looking for the proper solution.

By looking at this type of accountability, the Ombudsman should be able to increase the type of accountability experienced by local governments. Local governments that are still in this type can still be fully encouraged. To carry out accountability to the community. The implementation of the responsibilities which fall under its authority is the main thing to solve problems related to accountability in public services.

IV. CONCLUSION

The conclusion that can be drawn from this research is that the Ombudsman does not have a significant role in increasing the accountability of public services organized by the government. In carrying out the task of providing public services, the Education Office tends to place schools or other service providers responsible even though their mistakes and formal responsibilities are lacking. The accountability system

is based on a victim of error strategy in which individuals or groups are held accountable even though it is neither the cause nor formally responsible. The Ombudsman should build a Reward and Punishment System for follow-up actions taken by the reported on the output (both corrective actions and recommendations) issued by the Ombudsman. The reward and punishment system can also strengthen the output from the results of examinations conducted by the Ombudsman. The authority of the Ombudsman as a public service supervisory agency must be increased in the Law.

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