IMPLEMENTATION OF LAW NUMBER 25 YEAR 2009
CONCERNING PUBLIC SERVICE
(STUDY IN MATARAM CITY)

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Abstract: The problems that often arise in the field of public services such as less responsive, less informative, less accessible, less transparent suspected as a result of the absence of compliance in carrying out public services. This study aims to determine whether public service in the city of Mataram is in accordance with the provisions of the Law of public service, and know the factors that affect public services. This research is an empirical law research that is research that see the real situation in the field. Then analyzed by using Qualitative method. The result of the research concludes that the public service conducted by the institution that became the object of research in Mataram City is in accordance with the provisions of the applicable laws and regulations, although there are some indicators that still need to be improved. Then the factors that influence public service are legal factor, government apparatus factor, facility and infrastructure factor, society factor, and supervision factor.

Keywords: implementation of public services

I. INTRODUCTION

Law Number 25 Year 2009 on Public Services which has been aged eight (8) years is not only in the concept of juridical, but also political. Every provision in this Law becomes the basis of action reconstruct again every form of public service arrangement that still cannot avoid the tendency of violation of administration in the form of: inappropriate, deviate, arbitrary, (irregular, illegitimate), abuse of power, to undue delay. This happens, or is still occurring solely. Due to the lack of role in the implementation of the public on the provisions, the obligations that must be enforced and implemented in accordance with the provisions of Law Number 25 Year 2009 on Public Service.

Provision of public services by the government apparatus to the public, in fact the implications of the function of state apparatus as servants of society with the aim to realize the welfare of the people. Therefore, the position of government apparatus in public services is very strategic, because it will determine the extent to which the government is able to provide the best service for the community.
Akhmad Muwafik Saleh stated that the service culture practiced by the current government apparatus still has fundamental issues, such as:\(^1\)

- The stronger culture is served than the culture of serving;
- The culture of service practiced still tends to bureaucracy;
- Public perceptions of getting good and fast service must go through a variety of shortcuts.

Mataram City was chosen as one of the research areas of public service implementation based on Law Number 25 Year 2009 on Public Service caused by several considerations one of which is because the city of Mataram as the capital of NTB province with a barometer of public service at the level of city/district in Nusa Tenggara West. Objects that become research samples of researchers are the Department of Environment, Department of Population and Civil Records and RSUD Mataram City. The agency was chosen because there are many problems, especially in terms of public services to the public. According to Ombudsman’s records in 2013, as external supervisors in the field of service that the Service is still in the Yellow and Red Zones, it means the service is still in the category of being bad.

Based on the problems mentioned above, it is necessary to have a research on whether the implementation of public services in the city of Mataram is in accordance with Law Number 25 Year 2009 on Public Service, as well as factors affecting the implementation of public service delivery realized by the local government in this case regional work unit (SKPD).

This study uses the type of empirical legal research, which is conducting research on applicable legislation and conducting field research to obtain answers to the problems studied. To find these things, the problem approach used is a sociological approach that is the approach that sees and examines the field how the implementation of Law Number 25 Year 2009 on Public Service (study in the City of Mataram).

Technique of collecting data of law that is used is by conducting secondary data processing that is data obtained from library and document, and then through Primary data that is data obtained from observation result and interview result (respondent and informant). To analyze the legal data, the researcher uses a qualitative analysis of data in the form of words, not in the form of numbers. The analysis aims to obtain a general description and to know the accuracy and clarify an object to be examined, and then drawn conclusions about the issues studied.

II. DISCUSSION AND RESULT

2.1 Implementation of Public Service Based on Law Number 25 Year 2009 about public service in Mataram City

a. Public Service Indicators Based on Law 25 of 2009 on Public Services

The purpose of the enactment of this regulation concerning public services is that there is a clear boundary relationship with the rights, responsibilities, obligations and authorities of all parties concerned with the delivery of public services; the existence of a proper public organizational system in accordance with the general principles of good governance and corporations; the fulfillment of the provision of public services in accordance with the laws and regulations; and the existence of protection and legal certainty for the community in the implementation of public services.

Whereas in article 20 and Chapter V of Law Number 25 Year 2009 regarding Public Service, the implementation of public service must fulfill 10 elements concerning the implementation of public service itself, which consists of:

1) Service Standards  
2) Service Notices  
3) Public Service Information System  
4) Management of facilities, Infrastructure, and / or Public Service Facilities.  
5) Special Services  
6) Cost / Tariff of Public Service  
7) Behavioral implementation in the Service  
8) Supervision of public service delivery  
9) Grievance management  
10) Performance Appraisal.

b. Implementation of Public Service in Mataram City

The regional apparatus unit (SKPD), as the public service provider, actually performs the standard component of service as stipulated in Law 25 Year 2009 on the public service so that the service users (community) know about the implementation of the duties and activities of the public service, planning, implementation and supervision or control. All such activities should be informed and accessible to the public.

Therefore, in line with this research which aims to find out how the implementation of public services that exist in the scope of the government of Mataram conducted by the Department of Environment, Department of Population and Civil Registration, and RSUD Mataram against the implementation of Law No. 25 of 2009 on public services, this research tries to see whether SKPD in the municipal government of Mataram has done its obligation to make and announce / display the indicators which become component of service standard in Law Number 25 Year 2009.

The research indicators are 9 (nine) indicators, which are broken down into several sub indicators, namely service time standard, service cost information, soup, service flow, facilities and infrastructure, service announcement, electronic public information service system or non-electronic, human resources, complaint unit, special service, mission vision, order.

1) Standards Service

Service Standards are benchmarks that are used as guidelines for service delivery and service quality appraisal standards as the obligations and promise of the Organizer to the public in the context of quality, fast, easy, affordable and measurable service.

In accordance with article 21 of the Public Service Act that the Service Standards of a public service unit should include the basic components of the service at least, including:

(a) Legal Basis  
(b) Terms of Service  
(c) Systems and Mechanisms  
(d) Availability of SOP (SOP)
Implementation of Law Number 25 Year 2009 Concerning Public Service

2) Service Notice

Notice of service shall be a written statement of the organizer containing the promises of the organizer to ensure that the services provided are in accordance with the standard of service and widely published so that there is a written commitment and displayed to be followed by the service provider.

In Law 25 of 2009 on public service, the edict becomes very important to exist in every public service providers. In accordance with Article 22 of Law Number 25 Year 2009, it is mentioned that the organizer is obliged to arrange the service statement in accordance with the nature, type and characteristics of the service which is held and published clearly and widely, besides it is also mandated in article 59 that the preparation and implementation of the service should be fulfilled not later than 2 (two) years since the Act is effective.

Therefore, the Public Service Unit in each agency is obliged to prepare the service information other than as a form of “social agreement” between the public service providers and the public service users; the existence of the service will make the Service Unit better.

3) Public Service Information System

Public service information system is a series of activities covering storage and management of information and mechanism of delivery of information from public service providers to society and vice versa in the form of oral, latin writing, writing in braille, drawing language and/or local language, and manually or electronics. The public service information system contains all public service information derived from public service providers at each level and at least contains information covering: organizational profiles, implementing profiles, service standards, service announcements, complaint management, and performance appraisals.

Public service information system is a media socialization to the general public that there is public service activities in place the providers of public services, in this study because the form is a choice (print or electronic) all agencies who become the object of research already has and displaying this public service information system (either manually or electronically).

4) Special Services of Vulnerable Groups

For the record, article 29 of Law Number 25 Year 2009 regarding public service mentions public service providers are obliged to provide services with special treatment to certain community members. Certain communities are vulnerable groups including persons with disabilities, elderly, pregnant women, children, victims of natural disasters, and victims of social disasters. Not only that, facilities and special treatment to vulnerable groups should be given free of charge or free. (See Government clause 2)

Although it has been mandated by Law 25 Year 2009, however, public service facilities for vulnerable groups are still very low and in practice there has not been much accessible services for vulnerable groups, especially for the disabled and elderly.

For that reason, it is necessary to reform the public service in order to realize the good apparatus and public service and ready to serve the vulnerable group that must be built is to
change the mind-set and culture-set and the development of work culture for the apparatus giving the public service, the high of the apparatus to provide the best service for the community and not discriminate the community.

5) Complaint Management

Community complaints are evidence of deviations or dissatisfaction of community / service users in the delivery of public services, but public complaints are also a challenge for service providers to be able to improve and deliver services as expected by the community. Therefore, public service providers must have a special complaint unit to be able to bridge the grievance felt by the community for the realization of the quality and satisfaction of the community as the service user.

In accordance with Law Number 25 of 2009, service providers are obliged to provide complaints and assignment facilities of the competent implementers in the management of complaints and are obliged to formulate mechanisms of complaint management from the recipients by promoting the principle of a quick and complete settlement.

Whatever channel form is used to obtain facilities or complaints from the service user community, it will not be meaningful and ineffective if the incoming suggestions or complaints have not been processed, followed up in the form of tangible improvements and communicated effectively to the adviser or the complainants who have submitted complaint.

2.2 Factors Affecting the Implementation of Public Service in the City of Mataram

Theoretically there are many factors that influence the implementation of public services in society, but for the purposes of this discussion Soerjono Soekanto theory that made reference. Soerjono Soekanto explains that in the sociology of the law the problem of obedience or law obedience to the rule of law in general has become a major factor in measuring the effectiveness or absence of something that is stipulated in this law.²

a. Legal Factor

One factor that contributes to the effectiveness of law in society is the legal factor itself that concerns the content or substance of the law concerned.

One of the legal matters related to public services in Mataram city, with various factors causing it, is actually the impact or side effect of the unlawfulness of local law product of Mataram City related to the implementation of Law Number 25 Year 2009 about public service. Indeed, this Act has been translated through government regulations and ministerial regulations, but it should be realized that government regulations and ministerial regulations are still regularizing the general nature, whereas each region has different specifications both from the socio-economic conditions, strata social, cultural and various pluralism that accompany it, which of course requires different treatments and arrangements that cannot be generalized.

b. Government Apparatus Factors

Government apparatus is one factor in the creation of improved public service. Because the government apparatus is an element that works in practice to provide services to the community. So sociologically the government apparatus has a position or role in the creation of a maximum public service.

In the implementation of public services in the City of Mataram government apparatus influenced by several factors are as follows:

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1) Knowledge
   Knowledge is fundamental in one's understanding of events / events encountered. With the breadth of knowledge, someone is able to evaluate and innovate in doing activities.

2) Attitude
   Attitude is a reaction or a person's response is still closed to a stimulus or object, in this research human resources that are assigned in the public service agencies to provide satisfactory service to the public are required to have a high level of compliance with the rules, especially the implementation of the Act Number 25 Year 2009 on Public Service, but no doubt that innovation and creativity in providing services is also needed to improve the satisfaction of the community. The Department of Population and Environment Office and RSUD of Mataram City actually have tried to implement the regulation which has been mandated in the Law, but it is only applied in the form of physical appearance rule (Eligible) related to the service for example the installation of service announcement, Service Standard Minimal (SPM), SOP, Motto and bulletin board. However, there is a lot of public dissatisfaction with the service given in terms of attitude, because many people are less understanding with the exposure of service standards so require further explanation from the officers. Officers who are authorized to explain about the many services that do not yet understand the policies they make so often misunderstandings in providing services.

3) Action
   Action is the realization of knowledge and attitude into a real action. Action is also a response of a person to the stimulus in the form of real and open. In implementing Law Number 25 Year 2009, Department of Population and Civil Registry, Environment Department and RSUD Mataram city in this case have implemented some rules which stated in Act But in terms of service directly not maximal yet.

3c. Facilities and Infrastructure Factors
   Implementation of public services will not take place smoothly and orderly (good) if without a means or facilities that support it. It includes educated human labor, good organization, adequate equipment, and sufficient finances. If such things are not met, then it is impossible for the purpose of public service to be achieved properly or in accordance with expectations. Although legal factors, law enforcement officers, and legal awareness of the community can be met well, but if the available facilities are inadequate, undoubtedly will not be a good public service.

3d. Community Factors
   In essence, the execution of the ministry is undermined for the society, and therefore it is the people who need various services from the government as the ruler of the government. In other words, society has an existence in service, because in the context of public service society comes from the public (public) where the main purpose is to create the welfare of society as a whole. Therefore, if viewed from a certain angle, then the public can affect the creation of the implementation of good public services. This means that the public should support the public service improvement activities that are implemented through legal awareness.

3e. Monitoring Factors
   Supervision is a systematic effort to set standards with the aim of planning, designing an information feedback system, comparing actual performance with predetermined standards, determining whether there is storage and taking necessary measures that ensure the full utilization of the resources used efficient in the framework of achieving organizational goals.
Based on observations and interviews on research objects. Indicates that the level of supervision conducted by the internal parties of each agency in the city of Mataram is still relatively low. It can be seen in the data reports of public complaints every day is always there, be it in hospitals, the Department of Population and Civil Registry as well as in the Office of the Environment. The result of interview with Pak Dwi Cahyo of the Department of Population and Civil Registry of Mataram said that “for the supervision of the performance of the employees is done by each head and supervision by the community directly in the form of complaint”.3

III. CONCLUSION

Based on the above discussion can researchers conclude as follows.

1. In the implementation of public services undertaken by SKPD (Regional Device Work Unit) Mataram city that is the Office of the Environment, the Department of Population and civil registration, and RSUD Mataram, has done the service as well as determined in the prevailing laws and regulations, which although there are some service indicators which needs to be improved.

2. At each service of course there are things that can make comfort work in order to obtain maximum results. From the observations and interviews that researchers do, the factors that affect the implementation of public services in agencies that become the object of research (environmental agency, the Department of Population and Civil Registry and House Sait General Area is as follows:
   a. Legal Factor
   b. Government Apparatus Factors
   c. Facilities and Infrastructure Factors
   d. Community Factors
   e. Monitoring Factors

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