



Transparent, Accountable and Integrity Governance of Public Bodies in West Sumatra through Increasing the Role and Function of the Regional Information Commission

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Abstract: Democracy means that sovereignty is in the hands of the people. Elections are a form of implementation of popular sovereignty. The people are given the freedom to choose their own leaders, both in the executive and legislature. In democracies the ruler is entrusted only part of the power of managing the state by the people. After the people are given freedom in choosing the ruler, the next stage is the involvement and participation of the people in formulating and overseeing various forms of policies born by the government, including other public bodies. Law No. 14 of 2008 concerning Public Information Disclosure is the embodiment of the substance of democracy. Especially when it comes to public information oversight. In democracies, the right to obtain public information is a human right and information disclosure is an important feature of a democratic state upholding the sovereignty of the people to realize good state administration. Law Number 14 of 2008 concerning the Openness of Public Information has historically been motivated by the rolling out of reforms in the Unitary State of the Republic of Indonesia. Reforms that were more than a decade old at that time have brought about changes in the country's system of government. This law was passed on April 30, 2008 and came into force from 2 years of promulgation, namely on April 30, 2010. Then an Information Commission institution was formed as the implementer of this law. Both at the central and provincial and district/city levels. In West Sumatra itself, the Information Commission has been running for two periods, namely 2015-2019 and 2019-2023. Currently, the selection process for members of the Regional Information Commission of West Sumatra Province for the 2023-2027 period is being carried out. Research method with a descriptive qualitative approach.

Keywords: Information Commission, Public Bodies, Transparency, Accountability, Integrity

INTRODUCTION

The birth of Law No. 14 of 2008 concerning Public Information Disclosure opens up space for the creation of clean and transparent governance. *The principle of good governance and clean government* is a must after reforms in Indonesia. Information disclosure is the embodiment of a country that adheres to a democratic system.

In the weighing section in Law No. 14 of 2008, it is stated that, information is a basic need of everyone for personal development and their social environment and is an important part of the national resilience of a nation, that the right to obtain information is a human right and public information disclosure is one of the important characteristics of a democratic state that upholds the sovereignty of the people to realize Good state administration, that public information disclosure is a means of optimizing public supervision in the implementation of the state and other public information agencies and everything that is in the public interest and, that the management of public information is one of the efforts to develop the informal community.

This public information disclosure bill is also regulated in article 28 of the 1945 Constitution of the Republic of Indonesia which reads: " Everyone has the right to communicate and obtain information to develop his personal and social environment, as well as the right to seek, obtain, possess, store, process and convey information using all types of available channels". So that Law No. 14 of 2008 concerning Public Information Disclosure has a very strong legal force.

The era of reform and democratization has opened up space for public participation in development. Democratization, in addition to restoring the political rights and civil rights of the people, also opens up greater space for the people to participate. The development of Indonesian democracy is marked by the enactment of Law No. 14 of 2008 concerning Public Information Disclosure, which came into effect effectively in 2010 (Siti Komariah, 2010).

This law is a product to guarantee the institutionalization of people's rights to know and obtain as complete information as possible from the widest possible sources about the political process and the administration of the state. Actually, before Law No. 14 of 2008 concerning Public Information Disclosure, the government and the House of Representatives had also enacted Law No. 11 of 2008 concerning Electronic Information and Transactions.

These two pieces of information legislation provide important limitations on what governments, communities and other public agencies/agencies can and cannot do in relation to the implications of people's rights to gain the widest possible access to strategic sources of public information.

Democratization can then be maintained continuously and gain positive momentum continuously in the era of rolling reforms. Today people's participation in development depends on the political system adopted. Therefore, a change in the paradigm of governance of a country has consequences for changes in the meaning and mechanism for implementing public participation in governance and development. Participation is given meaning as community involvement in the widest possible political process both in decision making and monitoring policies that can affect people's lives (Tjipto Atmoko, 2010).

The purpose of bureaucratic reform is to create a government apparatus that is good, professional, characterful, has integrity, high performance, free and clean KKN, is able to serve the public, is neutral, dedicated and upholds the basic values and code of ethics of the state apparatus (Musfi Yendra, 2022).

Public information disclosure is something serious to pay attention to. *First*, the presence of globalization in all spheres of life has triggered human civilization to carry out *massive* exchange of information and one of the important elements in realizing the implementation of an open state is the public's right to obtain information in accordance with laws and regulations. The right to information has become very important because of the increasing openness of state

administration to be supervised by the public. This means that the administration of the state is conditionally more accountable. Everyone's right to information is also relevant to improving the quality of community involvement in the public decision-making process. Community participation or involvement does not mean much without the guarantee of public information disclosure.

Second, it is necessary to understand that public information disclosure is an important feature of a democratic state that always upholds people's sovereignty in order to realize good state administration and is a means of optimizing public supervision of state administration, other public bodies and everything that results in the public interest. In addition, public information disclosure is the foundation in building *good governance*, transparent, open and participatory in the entire state management process, including the entire process of managing public resources since the decision-making, implementation and evaluation process.

Third, the existence of public information disclosure can encourage society to become more democratic by allowing public access to information owned by the government (both central government, local government and other public institutions such as educational and health institutions).

The implementation of the Public Information Disclosure Law is said to be successful if citizens really get their right to know the plans, programs, and processes of making policies and public decisions and their reasons. In addition, the community actively participates in the public policy making process and the community plays an active role in encouraging the realization of a good public body. In addition, the realization of good, transparent, effective and efficient state administration and accountability and the public knows the reasons for policy making that affects the lives of many people.

By opening public access to information, it is hoped that the Agency will be motivated to be responsible and oriented towards the best possible public service. Thus, it can accelerate the realization of open government as a strategic effort to prevent corrupt practices, collusion and nepotism (KKN), and the creation of *good governance*.

Based on the perspective of kelegaan, in order for the implementation of the Public Information Disclosure Law to run well, every line of government bureaucracy, both central, especially in the regions, must have an Information and Documentation Management Officer (PPID) and establish a Regional Information and Information Commission (KID). For the Provincial government, the Commission In formation formed is the Provincial Regional Information Commission, while in the district/city government it is called Komisi Information Daerah Regency/City. The Information and Documentation Management Officer (PPID) is the implementing agency of the Public Information Disclosure Law functioning to serve public information requests. PPID comes from the elements of the government bureaucracy consisting of the State Civil Apparatus (ASN).

Meanwhile, Komisi Information Daerah (KID) is an *ad hoc* institution consisting of commissioners who have a function as regulators to establish technical guidelines for public information services and resolve public information disputes through mediation and/or non-litigation adjudication (termination of cases outside the court).

LITERATURE REVIEW

Public Information

Based on Law Number 14 of 2008 that Public Information is information generated, stored, managed, sent, and/or received by a public body related to the administration and administration of the state and/or the implementation and implementation of other public bodies in accordance with this Law and other information related to the public interest.

Public Bodies are executive, legislative, judicial, and other agencies whose main functions and duties are related to the administration of the state, whose part or all of the funds

are sourced from the State Budget and/or the Regional Revenue and Expenditure Budget, or nongovernmental organizations as long as part or all of the funds are sourced from the State Budget and/or the Regional Revenue and Expenditure Budget, community donations, and/or abroad.

The Information Commission is an independent agency whose function is to implement this law and its implementing regulations, establish technical guidelines for public information service standards and resolve public information disputes through mediation and/or non-litigation adjudication.

Public Information Disputes are disputes that occur between public bodies and users of public information relating to the right to obtain and use information under legislation.

Transparency, Accountability and Integrity

1. Transparency

Transparency is a key principle of public service. Transparency of public services can provide various benefits that are felt by the community, namely management and the implementation of public services is easily accessible to the public. As stipulated in Law No. 14 of 2008 concerning Public Information Disclosure in article 3 point d the goal is to realize good state administration, namely transparent, effective, and efficient, accountable and accountable.

In accordance with Law Number 25 of 2009 concerning Public Services, is a series of activities in order to meet the service needs of every citizen and resident for goods, services, and/or administrative services provided by public service providers.

According to Loina L. Krinia (2009) *transparansi* is a principle that guarantees access or freedom for everyone to obtain information about the administration of government, namely information about policies, the process of making and implementing them, as well as the results that are labeled *dai*.

2. Accountable

Improving governance and management systems is an important agenda in the bureaucratic reforms being carried out by the current government. The government management system is expected to focus on increasing accountability and at the same time improving *outcome-oriented performance*. So the government has established a policy for the implementation of a clear and orderly and effective accountability system called the Government Agency Performance Accountability System (SAKIP).

Accountability is the key word of the system which can be interpreted as the embodiment of the obligation of a person or government agency to account for the management of resources and the implementation of policies entrusted to him in the context of achieving the goals that have been set through the medium of accountability and in the form of accountability.

As per Inpres No. 7 of 1999 Concerning Accountability of State Apparatus Work is the embodiment of the obligation of a government agency to account for the success and failure of the implementation of the organization's mission in achieving the goals and objectives that have been set through periodic accountability tools.

According to Mardiasmo (2006) accountability is the obligation of the mandate holder to provide responsibility, present, disclose and report all government activities to the party who has given the mandate, namely the community.

3. Integrity

Integrity is inextricably linked to leadership. A leader who has high integrity will get the support and trust of the community or members of the organization he leads. The community and members of the organization place a lot of hope on a leader with high integrity, namely carrying out leadership tasks to develop and organize development, improve education

and health, create a sense of security and comfort and improve the standard of living of the community or members of the organizations.

In carrying out its duties, functions and authorities, especially in resolving information disputes in the Information Commission, the Panel of Commissioners must have strong integrity in resolving disputes. Both through the mediation process and non-litigation adjudication.

As stipulated in the Central Information Commission Decree No. 01/KEP/KIP/VIII/2009 concerning the Code of Ethics of the Information Commission. That the integrity of a Commissioner is inextricably linked with Independence, confidentiality and morality

METHODS

In this study, the author used a qualitative approach where in this study it was descriptive, namely conducting in-depth interviews of primary data collection and collection of secondary data, which then the results of primary and secondary data were processed and data would be obtained.

According to Jaludin Rahmat, the purpose of descriptive research is to collect actual information in detail to describe the existing history, identify problems or examine prevailing conditions and practices, make comparisons or evaluations, determine what others are doing in the face of the same problem and learn from their experience to establish plans and decisions for the future (Jalaludin, 2004).

In addition to interviews, data collection techniques are also strengthened by observation techniques. This technique is used to deepen the data obtained from the interview results. And also documentation studies aimed at obtaining secondary data related to the object under study, this secondary data is taken on written documents from the relevant agencies.

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RESULTS AND DISCUSSION

The functions of the Members of the Information Commission are to implement the Public Information Disclosure Act and its regulations, establish technical guidelines for public information service standards and resolve public information disputes through mediation and/or non-litigation adjudication.

The task of the Information Commission is to examine, examine, and review requests for resolution of public information disputes through mediation and/or non-judicial complaint filed by each applicant for information publik based on alasan as referred to in this law establishes the general policy of information services publik establishing implementation instructions and technical instructions.

The Central Information Commission has the task of establishing procedures for implementing dispute resolution through mediation and/or non-litigation adjudication; receive, torture, and resolve disputes over information in the regions as long as the provincial Information Commission and/or district/city Information Commission has not been established; and provide reports on the performance of their duties under the Act this invitation to the President and the House of Representatives of the Republic of Indonesia once a year or at any time if requested.

The duties of the Provincial Information Commission and/or the District/City Information Commission are in charge of anathema, examining, and resolving public information disputes in the regions through the implementation and/or non-litigation adjudication.

In carrying out its duties, the Information Commission has the authority to summon and/or bring together the parties to the dispute; request relevant records or materials held by the relevant Public Agency to take advantage of theusan in an effort to resolve the disputed information p ublik; request the appointment or present an official of the ublik p agency orrelated parties as witnesses in the settlement of publik information disputes; take oath every witness heardin ajudikasi nonlitigation dispute resolution information p ublik; and create a code of conduct that is made public so that the public can assess the performance of the Information Commission

The authority of the Central Information Commission shallinclude the authority to resolve public information relatingto central public bodies and provincial-level p u blik bodies and/or district/city level p ublik bodies as long as the Information Commission in the province or the district/city Information Commission has not been established.

The authority of the provincial Information Commission includes the authorityto resolve disputes concerningthe provincial level public bodies concerned.

The authority of the District/City Information Commission includes the authority to resolvedisputes relating to the district/city-level public agency concerned.

Recommendations for the Regional Information Commission of West Sumatra Province for the Period 2023-2027

Following up on the implementation of the Public InformationI Commissioning policy, the West Sumatra Provincial Government has formed a Komisi Information Daerah (KID) and an Information and Documentation Management Officer (PPID) who handles the implementation of information services and information disclosure the public in the provincial environment. In West Sumatra, the Regional Information Commission (KID) has been running for two periods, namely 2015-2019 and 2019-2023. Currently, the selection of KID candidates for the 2023-2027 period is being carried out.

Even though it has been running for two periods, there are still many people who do not know about the West Sumatra Regional Information Commission (KID) itself, both its duties, functions and authorities. So it is necessary to increase socialization and education to the community.

Various challenges will be faced by members of the West Sumatra Regional Information Commission (KID) in the future. With the increasing dynamics of government organizing institutions, both eskekutif, legislative, judicial and other public bodies are also developing such as community institutions that raise public funds. So that West Sumatra KID Members in the future are required to be more responsive, informative, creative and innovative in carrying out their duties as implementers of Law No. 14 of 2008 concerning Public Information Disclosure.

Some inputs and recommendations for the Regional Information Commission of West Sumatra Province for the 2023-2027 period, namely:

Visi:

Realizing Transparent, Accountable and Integrity Public Agency Governance in West Sumatra through Increasing the Role and Function of the Information Commission.

Ex:

1. Strengthening the internal governance of the Information Commission organization in order to form a solid, effective and efficient work team
2. Increase public participation in the implementation of public information disclosure
3. Encourage public bodies to open wider access to information to the public
4. Strengthening public bodies to improve public information service standards

5. Resolving public information disputes in a professional, proportionate, transparent and timely manner

Work Program:

Mission 1: Strengthen the internal governance of the Information Commission organization in order to form a solid, effective and efficient work team

Work program:

- a. Designing a strategic plan and formulating the *Key Performance Indicator (KPI)* of the West Sumatra Regional Information Commission for 1-4 years
- b. *Assessment* of work teams and capacity building through regular training
- c. Evaluating and formulating team *jobdesc* SOPs
- d. Designing and allocating proportionally in accordance with the provisions
- e. Fixing the PPID of the West Sumatra Regional Information Commission is more transparent, accountable and professional

Mission 2: Increase public participation in the implementation of public information disclosure

Work Program:

- a. Increasing the socialization of Law No. 14 of 2008 concerning Public Information Disclosure with digital strategies, socialmedia and print/electronic media
- b. Forming a millennial community concerned about information
- c. Collaborating with various universities both public and private through the Merdeka Campus program, Merdeka Belajar incorporates Public Information Disclosure into the teaching, community service and research curriculum
- d. Socialization of information disclosure on nagari-based publik
- e. Forming a dai community or mubaligh peduli information and incorporating information disclosure material publik as an educational curriculum and lectures

Mission 3: Encourage public bodies to open wider access to information to the public

Work Program:

- a. Collecting data and guidance on government and non-government public bodies optimally
- b. Improving the quality of evaluation and visitation of public bodies effectively, efficiently and innovatively by utilizing digital technology.

Mission 4: Strengthening public bodies to improve the standards of public information services

Work program:

- a. Actively involved in educating and strengthening the PPID capacity of public bodies
- b. Play an active role in coordination with PPID so that the coaching pattern in improving information service standards runs optimally

Mission 5: Resolve public information disputes in a professional, proportionate, transparent and timely manner

Work Program:

- a. Conduct information dispute hearings professionally and on time in accordance with the provisions
- b. Produce proportionate and solutive court decisions
- c. Resolution of information disputes that are maximally registered

CONCLUSION

Law No. 14 of 2008 concerning Public Information Disclosure has an important role in maintaining people's sovereignty in Indonesia, as the embodiment of a democratic country. Good governance, transparency, accountability and integrity are the main mandates of bureaucratic reform. Information disclosure is a space for people to be actively involved in development, including knowing their rights as citizens.

Members of the Regional Information Commission of West Sumatra Province who are in charge of implementing Law No. 14 of 2008 have a strategic function and role in overseeing the public's right to obtain information so that they can be involved in the regional development process in the future.

The big challenge now for the Regional Information Commission of West Sumatra Province is that there are still many people who do not know about this institution, both its duties, functions and authorities. As the guardian of democracy in West Sumatra, this institution for the next period must improve a lot, be more innovative and informative.

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