

REGENT OF SUKOHARJO
CENTRAL JAVA PROVINCE
REGENT REGULATION OF SUKOHARJO
NUMBER 38 OF 2024

ON
THE GUIDELINES FOR HANDLING PUBLIC COMPLAINTS

BY THE GRACE OF GOD ALMIGHTY REGENT
OF SUKOHARJO,

Considering :

- a. That in order to realize good governance and eliminate corruption, collusion, and nepotism, the role of society is needed as a social control over the administration of government and public services;
- b. That public complaints are one form of public participation in overseeing the implementation of government administration, and these complaints need to be managed in an effective, efficient, timely, and accountable manner;
- c. That to ensure legal certainty in the management of public complaints, regulations are needed regarding the guidelines for handling public complaints;
- d. That based on the considerations mentioned in points a, b, and c, it is necessary to establish a Regent Regulation on the Guidelines for Handling Public Complaints;

Remembering :

1. Article 18, paragraph (6) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 13 of 1950 on the Formation of Regency Areas within the Province of Central Java, as amended by Law Number 9 of 1965 on the Formation of the Second-Level Region of Batang by amending Law Number 13 of 1950 on the Formation of Regency Areas within the Province of Central Java (State Gazette of 1965 Number 52, Supplement to State Gazette Number 2757);
3. Law Number 23 of 2014 on Regional Government (State Gazette of the Republic of Indonesia 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587), as amended several times, most recently by Law Number 6 of 2023 on the Establishment of Government Regulation in Lieu of Law Number 2 of 2022 on Job Creation into Law (State Gazette of the Republic of Indonesia 2023 Number 41, Supplement to the State Gazette of the Republic of Indonesia Number 6856);
4. Law Number 11 of 2023 on the Province of Central Java (State Gazette of the Republic of Indonesia 2023 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 6867);

DECIDES:

To Establish :

THE REGENT REGULATION ON THE GUIDELINESS FOR
HANDLING PUBLIC COMPLAINTS.

CHAPTER I
GENERAL PROVISIONS

Article I

In this Regent Regulation, the following terms are defined as:

1. **Region** refers to the Regency of Sukoharjo.
2. **Regent** refers to the Regent of Sukoharjo.
3. **Local Government** refers to the Regent as the organizer of local government affairs who leads the implementation of governmental affairs within the authority of the autonomous region.
4. **Regional Apparatus** refers to the elements assisting the Regent and the Regional People's Representative Council in carrying out governmental affairs within the authority of the region.
5. **Village Government** refers to the village head assisted by the village apparatus as the organizer of village government.
6. **Regional Inspectorate** refers to the Regional Inspectorate of Sukoharjo Regency.
7. **Regional Inspector** refers to the Head of the Regional Inspectorate.
8. Government Internal Supervisory Apparatus (APIP) refers to the Regional Inspectorate, which is tasked with carrying out internal guidance and supervision (Internal Audit) within the region.
9. **Public Complaint** refers to a form of community oversight conveyed to the civil servant apparatus as suggestions, ideas, or constructive complaints.
10. **Handling of Public Complaints** refers to the process involving the receipt, recording, review, distribution, confirmation, clarification, investigation, examination, reporting, follow-up, and archiving of complaints.
11. **Law Enforcement Apparatus (APH)** refers to the law enforcement apparatus within the Indonesian Prosecutor's Office and the National Police of the Republic of Indonesia and their respective personnel.
12. **State Civil Apparatus (ASN)** refers to the profession for civil servants and government employees under contract working for the Local Government.
13. **Complaint** refers to the submission of a grievance by the complainant to the Public Service Complaint Manager concerning services that do not meet service standards or the neglect of duties and/or violations by the organizers.
14. **Supervision-Based Complaint** refers to a Public Complaint that contains information or indications of deviations and/or abuse of authority by ASN in carrying out their duties and functions, which results in harm to the public or the state.
15. **Non-Supervision-Based Complaint** refers to a Public Complaint that contains information in the form of constructive suggestions, critiques, or other beneficial inputs for the improvement of government administration and public services.

16. **Complaint Management** refers to the activities involved in handling complaints according to the established procedures and guidelines.
17. **Reporter/Complainant** refers to an individual or group of people who submit complaints to the Regional Inspectorate.
18. **Reported Party** refers to an ASN in the Local Government who is suspected of committing a violation or wrongdoing.
19. **Recording** refers to the process of recording information from complaint documents into a special agenda book, either manually or through an internal whistleblowing system.
20. **Review** refers to the activity of researching documents and/or information in the complaint to identify the core issue, which is then summarized in a review report for further action.
21. **Dissemination** refers to the activity of forwarding Public Complaints to the appropriate authority for further handling.
22. **Follow-Up** refers to the actions to be taken by the head or official in the relevant work unit based on the review recommendations of the complaint.
23. **Monitoring of Follow-Up** refers to the direct or indirect activities of collecting data/information, clarification/confirmation, and coordination on the Follow-Up of Public Complaints.
24. **Reporting** refers to the submission of the results of the Follow-Up of Public Complaints in the form of a report to the competent authority.
25. **Archiving** refers to the organization of documents related to complaint reports, Follow-Up on Public Complaints, and other supporting documents.
26. **Confirmation** refers to the activity of obtaining clarification regarding the existence of the Reported Party or the reported issue.
27. **Clarification** refers to the activity of obtaining an explanation regarding the actual problem from the source of the complaint and/or the reported party.
28. **Public Service** refers to the activities or series of activities undertaken to meet the service needs in accordance with laws and regulations for every citizen and resident regarding goods, services, and/or administrative services provided by public service organizers.
29. **Society** refers to a group of people in the broadest sense, bound by a culture that they consider shared.
30. **Day** refers to a working day.

Article 2

The purpose of the Guidelines for Handling Public Complaints is:

- a. To ensure that Public Complaints are handled properly, effectively, efficiently, and are accountable to the public in accordance with the applicable laws and regulations;
- b. To ensure that the handling of Public Complaints is better coordinated and follows a uniform mechanism;
- c. To empower Public Complaints as a form of social control over government administration and public services; and
- d. To encourage the realization of good governance and a government free from corruption, collusion, and nepotism.

Article 3

The principles of handling Public Complaints are as follows:

- a. **Legal certainty**, which prioritizes the legal framework in handling Public Complaints;
- b. **Transparency**, which is carried out based on clear and open mechanisms and procedures;
- c. **Coordination**, which involves good cooperation between the competent authorities and relevant government apparatus;
- d. **Effectiveness and efficiency**, which is carried out in a targeted manner, saving resources, time, and costs;
- e. **Accountability**, which must be accountable to the public, both in terms of the process and the follow-up actions;
- f. **Objectivity**, which is based on facts or evidence without being influenced by prejudice, interpretation, personal interests, group interests, or the interests of certain parties;
- g. **Proportionality**, which prioritizes the implementation of duties and authorities while considering other legitimate interests in a balanced manner; and
- h. **Confidentiality**, which ensures the protection of confidentiality in accordance with applicable laws, unless there is a legal right or obligation to disclose it.

CHAPTER II TYPES OF PUBLIC COMPLAINTS

Article 4

Scope of Public Complaints:

- a. Abuse of authority;
- b. Public service;
- c. Corruption, gratuities, and illegal levies;
- d. Staffing; and
- e. Administration/regulations.

Article 5

Types of Public Complaints consist of:

- a. Supervision-Based Public Complaints; and
- b. Non-Supervision-Based Public Complaints.

CHAPTER III PROCEDURE FOR SUBMITTING PUBLIC COMPLAINTS

Article 6

Public Complaints can be submitted:

- a. Directly; or
- b. In writing/letter/electronic mail.

Article 7

Public Complaints as referred to in Article 6, letters a and b, should be addressed to the Regent, c/o the Regional Inspector, at the address of the Regional Inspectorate Office, Jalan Jenderal Sudirman Number 199, Menara Wijaya Building, 7th Floor, or via email: dumas.inspektorat@sukoharjokab.go.id, WhatsApp number 082227178494, as well as the official online media of the Regional Inspectorate.

Article 49

(1) The planning phase of the work mechanism at the DPRD Secretariat includes:

- a. The DPRD Secretary prepares and sets the performance agreement;
- b. The DPRD Secretary divides and appoints the head of the division as the responsible party for achieving performance targets;
- c. The DPRD Secretary provides direction and coordination for the implementation of activities and achievement of performance targets to the head of the division;
- d. The head of the division formulates the strategy for implementing and achieving the performance targets;
- e. The head of the division communicates directions and expectations for performance targets to the head of the sub-division and/or functional officials as well as the executors within their scope of coordination;
- f. The head of the division, together with the head of the sub-division and/or functional officials and executors working either individually or in a team, prepares the activity implementation plan and budget to achieve the performance targets;
- g. The head of the sub-division communicates directions and expectations for performance targets to the functional officials and executors under their supervision.

(2) The implementation phase of the work mechanism at the DPRD Secretariat includes:

- a. Functional officials and executors prepare detailed plans for activities and budgets in accordance with the previously prepared activity implementation plan and budget;
- b. Functional officials and executors carry out activities according to their roles;
- c. In carrying out activities, functional officials and executors may collaborate with all parties in terms of data synchronization, policies, implementation, and other matters related to the activity;
- d. The head of the division, head of the sub-division, and team leader monitor the progress and provide feedback regularly or incidentally on the implementation of activities carried out by the functional officials and executors;
- e. Functional officials and executors working individually report the results of activity implementation to the head of the division;
- f. Functional officials and executors in the sub-division or working in a team report the results of activity implementation to the head of the sub-division/team leader;
- g. The head of the sub-division and team leader report the results of activities carried out by the functional officials and executors under their coordination to the head of the division.

(3) The evaluation phase of the work mechanism at the DPRD Secretariat includes:

- a. The head of the division reviews the results of the activity implementation;
- b. The head of the division reports the results of the activity implementation to the DPRD Secretary;
- c. The DPRD Secretary receives and reviews the results of the activity implementation; and
- d. The activity implementation is considered completed after the DPRD Secretary receives the results of the activity implementation and confirms that it meets the expected targets.

Chapter IV MANAGEMENT OF PUBLIC COMPLAINTS

Article 8

(1) The management of Public Complaints is carried out by the Regional Inspectorate.

(2) The management of Public Complaints includes:

- a. Recording;
- b. Review;
- c. Dissemination;
- d. Follow-up;
- e. Reporting; and
- f. Archiving.

Article 9

The recording process referred to in Article 8, paragraph (2), letter a, is carried out as follows:

a. The process of recording Public Complaints received by the Regional Inspectorate includes:

1. Complaint letter data: number, date, subject;
2. Complainant's identity: name, address, occupation;
3. Reported party's identity: name, address, position/duties and responsibilities, work unit of the reported party;
4. The content of the complaint and/or supporting evidence for the complaint; and
5. The location of the case.

b. The process of recording the Public Complaints letter received by other Regional Apparatus is carried out in accordance with the procedures for handling official correspondence as per applicable laws and regulations.

Article 10

1. The review process referred to in Article 8, paragraph (2), letter b, includes:

- a. Formulating the core issue of the complaint;
- b. Analyzing the substance of the complaint in accordance with applicable laws and regulations;
- c. Reviewing documents and/or information related to the complaint;
- d. Determining whether the received complaint is supervision-based or non-supervision-based; and

- e. Establishing the result of the complaint review for further handling.
2. The results of the review referred to in paragraph (1), letter e, include:
- a. Supervision-Based Public Complaints that
 - 1. Indicate deviations that harm the public or the State/Region, with logical and sufficient substance, clear identity of the complainant, and supported by evidence, which can be recommended for a specific-purpose audit or an investigative audit; and
 - 2. Have inadequate substance but with a clear identity of the complainant, which can be recommended for clarification;
 - b. Non-Supervision-Based Public Complaints that require follow-up can be recommended for follow-up according to the procedures by the relevant Regional Apparatus;
 - c. Public Complaints whose substance is illogical, involving the complainant's demands that are normatively inconsistent with the provisions of applicable laws and are unlikely to be fulfilled, need not be processed further;
 - d. Public Complaints whose substance is outside the authority of the Regional Inspectorate should be forwarded to the relevant agency/department or Regional Apparatus; and
 - e. Complaints that do not clearly state the name and address of the sender or, after review, the sender's name and address cannot be clarified, will be disregarded.

Article 11

- (1) The dissemination process referred to in Article 8, paragraph (2), letter c, involves forwarding the public complaint to the relevant Regional Apparatus or other agencies.
- (2) Public Complaints with Supervision-Based Content, which are recommended for audit and clarification as referred to in Article 10, paragraph (2), letter a, will undergo an audit and clarification by the Regional Inspectorate.
- (3) Non-Supervision-Based Public Complaints, as referred to in Article 10, paragraph (2), letter b, will be forwarded to the relevant Regional Apparatus.
- (4) Public Complaints with illogical substance, as referred to in Article 10, paragraph (2), letter c, will be notified to the relevant Regional Apparatus.
- (5) Public Complaints whose substance is outside the authority of the Regional Inspectorate, as referred to in Article 10, paragraph (2), letter d, will be forwarded to the relevant agency/department or Regional Apparatus authorized to handle it.

Article 12

- (1) The follow-up process referred to in Article 8, paragraph (2), letter d, is an activity carried out to resolve Public Complaints, which includes the processes of clarification, confirmation, research, and investigation.
- (2) The follow-up process referred to in paragraph (1) for Supervision-Based Public Complaints will be completed within a maximum period of 60 (sixty) days from the date the complaint is received, unless there is an accountable reason for delay.

(3) The follow-up process referred to in paragraph (1) for Non-Supervision-Based Public Complaints will be completed within a maximum period of 14 (fourteen) days from the date the complaint is received, unless there is an accountable reason for delay.

(4) In cases where the complaint does not meet the adequacy and completeness of information, the complaint handling officer will inform the Complainant to complete the complaint information within a maximum period of 10 (ten) days.

(5) If the Complainant does not provide the required information within the maximum 10 (ten) days, the complaint may be archived.

Article 13

(1) The reporting process referred to in Article 8, paragraph (2), letter e, is the result of the follow-up process of Public Complaints as referred to in Article 12, which is compiled in the form of a report.

(2) The report referred to in paragraph (1) is prepared systematically, concisely, clearly, and is accountable.

(3) The report referred to in paragraph (1) is submitted to the Regent.

(4) In preparing the report referred to in paragraph (1), the Regional Inspector may coordinate with the relevant Regional Apparatus.

Article 14

(1) The report on the handling of Public Complaints as referred to in Article 13, in written form, shall include:

- a. the source of the complaint;
- b. the subject of the complaint;
- c. the facts found;
- d. analysis;
- e. conclusions; and
- f. recommendations.

(2) The structure of the report on the handling of Public Complaints as referred to in paragraph (1) is outlined in the Attachment, which is an inseparable part of this Regent's Regulation.

Article 15

(1) Archiving, as referred to in Article 8, paragraph (2), letter f, is the organization of the documents related to the follow-up on Public Complaints.

(2) The organization of documents, as referred to in paragraph (1), is based on the type of issue, the reported Regional Apparatus, and the time of the complaint.

CHAPTER V

MONITORING AND STATUS OF HANDLING PUBLIC COMPLAINTS

Article 16

(1) Monitoring of the handling of Public Complaints is carried out by the Regional Inspectorate.

(2) Monitoring as referred to in paragraph (1) is conducted through:

- a. directly; or
- b. indirectly.

Article 17

- (1) Direct monitoring as referred to in Article 16 paragraph (2) letter a is carried out through:
 - a. data updating;
 - b. coordination meetings; and/or
 - c. monitoring of the relevant Regional Apparatus or work unit receiving the complaint.
- (2) Indirect monitoring as referred to in Article 16 paragraph (2) letter b is carried out through:
 - a. electronic communication; and/or
 - b. correspondence.

Article 18

- (1) The status of handling Public Complaints consists of:
 - a. status "in process," when the issue being complained about is currently being handled; and
 - b. status "completed," when the issue has been resolved, proven by a report on the handling of the Public Complaint.
- (2) The status of handling as referred to in paragraph (1) for Public Complaints with Oversight Content is communicated to the Complainant.
- (3) The status of handling of Public Complaints without Oversight Content is communicated to the Complainant after receiving the handling report from the relevant Regional Apparatus.
- (4) The status of handling Public Complaints, which based on the results of the review is categorized as illogical and/or outside the authority of the Regional Government, is determined by the Regional Inspectorate and stated as "completed."

CHAPTER VI

PROTECTION OF THE COMPLAINANT AND REPORTED PARTY

Article 19

During the Public Complaint process, both the Complainant and the Reported Party must be provided with legal protection and fair treatment.

Article 20

A Complainant who provides information regarding indications of misconduct by Civil Servants (ASN) during the process of proving a public complaint shall not be subject to legal action, either criminal or civil, for the report they have made or are making, in accordance with the prevailing laws and regulations.

Article 21

(1) A Complainant who provides information regarding indications of misconduct by a Civil Servant, where the complaint has not been handled by law enforcement authorities, will be given administrative protection, including maintaining the confidentiality of the Complainant's identity.

(2) If the complaint has been handled by Law Enforcement Authorities and the Complainant is made a witness, the Complainant is entitled to protection in accordance with the provisions of the law.

Article 22

The Regent or authorized official or Inspector must:

- a. Treat the Reported Party as innocent until the results of the review, confirmation, clarification, and investigation can prove the truth or falsity of the complaint; and
- b. Provide protection to the Reported Party by not imposing any sanctions without valid evidence from the results of the review, confirmation, clarification, and investigation.

CHAPTER VII

COORDINATION TEAM FOR HANDLING PUBLIC COMPLAINTS

Article 23

(1) In the context of handling Public Complaints, the Regional Inspectorate may form a Coordination Team.

(2) The Coordination Team as referred to in paragraph (1) has the following duties:

- a. Coordinate suspected Public Complaint reports with relevant parties to avoid overlapping investigations;
- b. Formulate the issues raised in the complaint;
- c. Review the complaint materials with relevant regulations;
- d. Examine and inspect documents and/or information related to the complaint materials; and
- e. Determine the results of the review.

(3) The Coordination Team as referred to in paragraph (1) consists of:

- a. Advisor;
- b. Person in charge;
- c. Deputy person in charge;
- d. Chairperson;
- e. Secretary; and
- f. Members

(4) To assist in the smooth execution of the handling of Public Complaints, the Coordination Team is supported by a Secretariat from the Regional Inspectorate.

(5) The Coordination Team and its Secretariat as referred to in paragraph (4) are established by the Regent's Decree.

CHAPTER VIII

FINANCING

Article 24

The financing for the implementation of the Public Complaint Handling is sourced from the Regional Revenue and Expenditure Budget.

CHAPTER IX
FINAL PROVISIONS

Article 25

This Regent Regulation shall come into force on the date of its promulgation.

To ensure that everyone is informed, the promulgation of this Regent Regulation is ordered by its publication in the Sukoharjo District Official Gazette.

Enacted in Sukoharjo on the
12th of November, 2024

REGENT OF SUKOHARJO, signed.

AGUS SANTOSA

Promulgated in Sukoharjo
on the 12th of November, 2024

SECRETARY OF
THE SUKOHARJO REGENCY, signed.

WIDODO

REGIONAL GAZETTE OF SUKOHARJO REGENCY OF
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