
Optimizing Regulations in Public Services: A Compliance and Risk Management Approach

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Abstract

Meeting the needs of the general public can be met by public services. Therefore, there is a need for public services that are efficient, effective and fair. In achieving this goal, various challenges arise in optimizing good public services. This research then aims to look at how to optimize regulations in public services through a compliance and risk management approach. This research was carried out using a qualitative approach. The data in this research uses various results of previous research and studies. The results of this research then found that an approach that includes compliance, risk management, and regulatory performance evaluation is an important element in the government's efforts to provide better public services to the community. This integration creates a better environment for public services that are efficient, effective, fair and responsive to change. Accuracy in designing regulations, measuring effectiveness, and playing a role in improvement is the key to achieving optimal public service goals. With this holistic approach, the government can meet people's expectations and help create a more prosperous society.

Keywords: *Regulation, Public Servants, Compliance Approach, Risk Management.*

Introduction

Public services are the core of state administration which aims to meet the needs of society. Efficient, effective and fair public services are the key to creating good government. However, in reality, there are often challenges in providing quality public services and in accordance with applicable regulations. Limited resources, changing social dynamics, and regulatory complexity are some of the factors that can influence the quality of public services (Kuziemski & Misuraca, 2020). Public service regulations are a framework that regulates government behavior in providing services to the community. These regulations can cover various aspects, such as operational standards, procedures and monitoring mechanisms. However, excessive or irrelevant regulations can become an obstacle to the efficient delivery of public services. On the other hand, regulations that are too loose can increase the risk of deviations and violations (Fourie & Malan, 2020).

In an effort to improve public service regulations, the compliance approach has become a major concern for the government and related organizations. A compliance approach involves understanding and enforcing existing regulations. However, relying solely on compliance alone is not necessarily enough to achieve optimal public service goals. This is where risk management plays an important role (Tacconi et al., 2019). Risk management is a proactive approach to identifying, measuring and managing risks related to regulations and public services. This includes recognizing potential risks, determining risk management strategies, as well as ongoing monitoring and evaluation. By integrating risk management into regulations,

the government can optimize public services while minimizing negative impacts and violations (Settembre-Blundo et al., 2021).

In a global context, society and stakeholders increasingly demand openness, accountability and justice in public services. Transparent and efficient regulation is key to meeting these demands. However, the process of changing regulations does not always run smoothly and is often faced with resistance from various parties who may be affected by the change. Therefore, a smart and holistic approach is needed to manage regulatory changes in public services (Cordery & Hay, 2022). In addition, in the digital era, where information technology has changed the landscape of public services, regulations must also adapt to these changes. Technological developments provide opportunities to increase the efficiency and accessibility of public services. However, technology also brings new challenges related to data security and privacy. Therefore, regulations in public services need to be in line with technological developments and ensure the protection of individual rights in the digital environment (Van Veldhoven & Vanthienen, 2022).

Defining an effective approach to integrating compliance and risk management in public service regulations is essential to creating transparent, efficient and competitive government. A comprehensive approach must consider various aspects, including a deep understanding of community needs, external impacts, and regular evaluation to ensure alignment with public service objectives (Androniceanu et al., 2022). However, although there is a strong understanding of the importance of compliance and risk management approaches in public service regulations, their implementation is often faced with various challenges. Factors such as lack of understanding, limited resources, and changes in the external environment can hinder these efforts (Wirtz et al., 2020). Therefore, further research needs to be carried out to analyze how compliance and risk management approaches can be used effectively to overcome problems in public service regulations and achieve optimal public service goals.

Literature Review

Public Service

The explanation of public services as per Law Number 25 of 2009 is defined as a set of actions carried out to meet service requirements in accordance with statutory regulations for every citizen and resident. These services encompass goods, services, and/or administrative services provided by public service providers, which include government agencies. These government agencies consist of work units or organizational units of Ministries, Departments, non-departmental government agencies, Secretariats of the Highest and Highest State Institutions, and other government agencies, both at the central and regional levels. This also includes State-Owned Enterprises, State-Owned Legal Entities, and Regional-Owned Enterprises (Rengifurwarin, 2020).

Good public services include types of activities managed by the government in the form of goods and services to serve the interests of the community without being oriented towards the interests of public service implementers. Comprehensively, public service rules include:

1. Equal and equal services, meaning that services are provided without discrimination by government officials towards the community.
2. The services provided must be timely. If it is not on time, people using the service have the right to make a complaint to the public service provider.
3. Services must be continuous. In this case, it means that government officials must always be ready to provide services to people who need public service assistance (Yuan & Gasco-Hernandez, 2021).

MINISTRATE

Public services are goods services, administrative services (licensing and non-licensing), and services provided to service users. In principle, public service is an undertaking conducted by an organization or entity with the objective of benefiting the community. These benefits can take the form of monetary assistance, tangible items, knowledge, suggestions, or written communications. Public service is performed with sincerity, goodwill, integrity, and a primary focus on ensuring the contentment of the recipients of the service (Rosita et al., 2019).

Public service actors are referred to as public servants. Public servants are translated as people/staff/employees of public service units who are within the organizational unit and carry out the task of providing public services. The public service includes two elements, namely the leadership element and the implementing public service element. Public servants from leadership elements must ensure that the implementation of public services runs well according to plans, targets and expected output (Soberón et al., 2020). In detail, the tasks are:

1. Coordinate the smooth implementation of public services in accordance with the service standards of the work unit
2. Evaluate the implementation of public services and report to the supervisor on the implementation of public services
3. Report the results of public service performance for which they are responsible
4. Ensure that the process of handling complaints submitted by customers is implemented and ensure that recommendations for complaints are followed up and become material for evaluating public services in the organizational unit (Di Giulio & Vecchi, 2023).

Meanwhile, public servants from the implementing element have the following duties:

1. Receive guests and answer questions from service users
2. Provide an explanation of the requirements, procedures and rates for public services (if any)
3. Verify files and check suitability for field conditions in coordination with the relevant technical team
4. Process application files desired by service users
5. Receive complaints (complaints) from service users and process them according to the applicable mechanism
6. Conduct customer satisfaction assessments (Ishak, 2022).

In more detail, based on their place of duty, implementing elements are divided into two groups, namely officers at the table who serve the community directly and officers who serve the community indirectly. Officers who serve the community directly (front office) carry out the following duties:

1. Receive and answer or explain various questions asked by the public
2. Receive service application files which are carried out according to the requirements submitted
3. Verify the complete administrative requirements of people applying for services
4. Provide a receipt for the application administration file if the requirements are complete and correct
5. Submit required documents to back-office staff
6. Deliver service products if all public service processes have been completed to the applicant (Bakhtiar, 2021).

Officers who do not have direct contact with the public (back office) have the following duties:

1. Receive files that have complete administrative requirements from the direct recipient officer (front office)

2. Verifying the technical suitability of the service files submitted by the applicant and site visits if necessary
3. Discuss the results of the field visit with the technical team
4. Process the proposed public service until the application file is complete
5. Deliver the service product to the direct recipient officer (front office) to be delivered to the applicant (Willis, 2022)

In public services there is a Public Service Unit (UPP), namely an organizational unit that provides direct services to the community. UPP is an extension of various directorates that provide services to the community, so that they can be handled more effectively and efficiently. In the UPP, special public service officers are provided who will directly handle service requests submitted by the public and process them until the final documents are given to people who need services (Ojiako et al., 2022).

Risk Management

Organizational changes in the public sector, like any other sector, are influenced by internal and external factors, and they can present both opportunities and risks. Opportunities can propel an organization to achieve higher levels of success, while risks can lead to potential losses and failures. Risk is a concept commonly associated with negative outcomes and is typically something people aim to avoid. Risk can be defined as the likelihood of an unfavorable event occurring or the possibility that actual outcomes will differ from the expected ones (Desouza et al., 2020).

Risk can be characterized as an unfavorable incident or the chance that the outcomes attained will differ from the anticipated ones. Risks are ubiquitous, can emerge at any moment, and are challenging to evade. In accordance with KMK Number 577/KMK.01/2019, risk represents the potential for an event to take place, which may affect the realization of an organization's objectives. If an organization encounters such a risk, it may lead to detrimental consequences for the organization. In the most extreme scenario, the risk could even lead to the organization's demise (Bregenzer & Jimenez, 2021).

There are two main categories of risks: pure risks, which entail the possibility of loss but not profit, and speculative risks, which involve both potential losses and gains. Besides this pure and speculative distinction, we can further classify risks as dynamic risks, which emerge from changing conditions (such as shifts in societal or technological aspects leading to new types of risks), and static risks, which result from stable equilibrium conditions where the risk remains relatively constant over time. Moreover, risks can be categorized into subjective risks, which pertain to an individual's perception of risk, and objective risks, which are determined through the objective assessment of parameters (Varga et al., 2021).

Risk management seeks to effectively handle these risks in order to achieve the most favorable outcomes. In the context of an organization, various risks are inevitably encountered. If an organization fails to effectively control these risks, it may incur losses. Therefore, it's essential to manage the risks an organization faces to ensure its survival and, ideally, enhance risk optimization. In line with the Minister of Finance's Decree (KMK) Number 577/KMK.01/2019 on Risk Management within the Ministry of Finance, the primary goal of risk management is to enhance the likelihood of realizing the organization's vision, mission, objectives, performance improvement, and safeguarding as well as increasing the organization's added value (Durst et al., 2019).

There exist various definitions for organizational or company risk management, such as:

1. Risk management encompasses a full suite of policies and procedures employed by an organization to oversee, monitor, and regulate its exposure to risks.
2. Enterprise Risk Management is a comprehensive and integrated framework that encompasses the management of credit risk, market risk, economic capital, and risk transfer, with the primary aim of maximizing the company's value.
3. Enterprise Risk Management (ERM) is a process, influenced by the organization's management, board of directors, and other personnel, strategically implemented and encompassing the entire organization. Its purpose is to identify potential events that could impact the organization, manage risks within the organization's defined tolerance levels, and offer reasonable assurance concerning the attainment of organizational objectives (Jati et al., 2021).

Meanwhile, according to KMK Number 577/KMK.01/2019, risk management is a systematic and structured process supported by a risk awareness culture to manage organizational risks at an acceptable level to provide adequate confidence in achieving organizational goals. The aim of risk management is the appropriate distribution of limited resources in an effort to control differences in order to improve quality as efficiently and effectively as possible (Provan et al., 2020). The implementation of risk management is based on two basic concepts, namely:

1. A holistic view of variation Holistic means focusing on the entire complete system and not just an analysis, treatment and separation into its parts.
2. Identification process (identification process), assessment process (assessment process), and mitigation process (control process) (Nikinmaa et al., 2020).

Risk management can be applied to the process of designing new policies or also to existing policies. Risk management requires the integration and participation of all aspects that influence the quality of policies, including design, manufacturing process, quality, system design. In risk management, there are three main things that must be done, namely the identification process, the measurement/assessment process, and the control process (Munir et al., 2020).

Method

This research was carried out using a descriptive qualitative approach, where the data used came from various research results and previous studies which are still relevant to the research discussion. The data collected from these sources will then be processed to produce findings that support the objectives of this research. With this approach, this research aims to integrate various perspectives existing in related literature, as well as illustrate the complexity and relevance of compliance and risk management approaches in public service regulations.

Result and Discussion

Factors that Influence Compliance in Public Services

Compliance in public services is influenced by a number of factors including public perception, obstacles to complying with regulations, social and cultural roles, as well as the influence of supervision and punishment. Each of these factors is often related, giving rise to complex problems.

1. Public Perception of Compliance

Public perception of the importance of compliance with regulations is the main factor influencing the level of compliance in public services. When people understand the concrete benefits resulting from regulations, they are more likely to comply with those regulations. For example, when people recognize that food safety regulations help protect their health, they are more inclined to follow established guidelines and standards. Conversely, if people feel that the regulations are irrelevant, burdensome, or unfair, they may tend to refuse to comply with the regulations. For example, if business regulations feel irrelevant or too burdensome for small businesses, they may choose to violate the regulations. Therefore, effective communication from the government to the public about the aims and benefits of public service regulations is key. The government needs to provide clear and persuasive information to the public, highlighting the positive impact that can be achieved by individuals and society as a whole through compliance with regulations. In addition, it is important to open channels of dialogue with the public, listen to their input, and provide adequate explanations about the regulation-making process. By communicating openly and effectively, the government can strengthen the public's positive perception of compliance with public service regulations and increase the level of compliance. Over time, this approach can establish a stronger culture of compliance among communities.

2. Barriers to Complying with Regulations:

There are various obstacles that can become obstacles in increasing the level of compliance in public services. One common barrier is related to information accessibility. When the public does not have adequate access to information about applicable regulations, this can result in difficulties in understanding and complying with these regulations. This can happen because regulations are often layered, complicated, and difficult to access by the general public. Additionally, economic constraints can also be a significant inhibiting factor, especially when complying with regulations requires individuals or entities to incur additional costs. For example, the costs of registering a business or purchasing special equipment to comply with certain regulations can be a serious obstacle for small businesses. Therefore, the government and related institutions need to take steps to overcome these obstacles and ensure that regulations can be complied with more easily by the public. One way to overcome barriers to information accessibility is to publish regulations in a transparent and easily accessible manner through official online portals, as well as providing clear guidance and guidance to the public. Additionally, governments may consider using incentives or fee waivers in situations where regulatory compliance has clear benefits, but the costs associated with it are prohibitive.

In addition to information and economic barriers, other barriers may also arise, including legal and administrative barriers. For example, ambiguous or conflicting regulations can result in confusion and difficulties in understanding, which can hinder compliance. Therefore, efforts involving the preparation of clear and coherent regulations are important. In addition, administrative issues such as complicated procedures or unrealistic timeframes for meeting regulations can also be an obstacle. Therefore, there is a need for administrative reform aimed at making the process of complying with regulations more efficient and minimizing unnecessary bureaucracy. By identifying and overcoming various obstacles that can hinder compliance, the government can create a more supportive environment for regulatory compliance in public services.

3. Social and Cultural Role in Compliance

The role of society and culture in encouraging or inhibiting compliance has a significant impact on the level of compliance in public services. A society's values, social norms, and culture can substantially influence whether a person will comply with regulations or not. For example, in cultures where corruption is considered normal or some people feel that certain regulations conflict with their values, compliance with anti-corruption regulations or regulations that are considered irrelevant may be low. Therefore, in designing regulations and compliance strategies, it is necessary to take into account the existing social and cultural impacts. An approach that is sensitive to the social and cultural context is needed to ensure that the regulations implemented are in accordance with the norms and values held by society. The government needs to collaborate with community groups, non-profit organizations and other stakeholders to ensure that existing regulations are recognized and accepted by society within the framework of existing values and culture.

4. Effects of Supervision and Punishment

Supervision and punishment have a central role in influencing the level of compliance in public services. Public trust in monitoring and punishment systems plays an important role in moving individuals and entities to comply with regulations. When people believe that violations will be dealt with firmly and fairly, they tend to be more compliant. This trust creates positive incentives to comply with regulations, because individuals or entities that comply with regulations feel that their efforts will be rewarded and that violations will be appropriately sanctioned. Conversely, if supervision is weak or punishment is inconsistent, compliance tends to be low. In such situations, individuals and entities may feel that the risk of violating regulations is lower, and therefore, they may be less likely to violate such regulations. Therefore, the government needs to have an effective monitoring system and punishment mechanisms that are appropriate to the level of regulatory violations. This includes the development of clear rules, consistent enforcement, and sanctions commensurate with the severity of the violation.

In practice, these factors are often interrelated and complex. To improve compliance in public services, the government needs to take a holistic approach that considers public perceptions, addresses barriers, understands the social and cultural context, and ensures effective oversight and fair punishment systems. These efforts can help create an environment where regulations can be properly adhered to and public services can be improved.

Risk Management in Public Services

Risk management in the context of public services has a crucial role in maintaining the sustainability and effectiveness of regulations as well as efficient service delivery. Basically, risk management in the public service sector requires a careful and comprehensive approach to identifying, measuring and managing risks that may arise as a result of certain regulations or changes in these regulations. Identification of regulatory risks is an essential first step in risk management. This involves an in-depth analysis process to identify the various types of risks that may arise as certain regulations are implemented. These risks can include aspects such as legal, economic, operational, reputational risks, or even social impacts that may arise as a result of implementing regulations. It is important for the government or public service delivery institutions to have a deep understanding of the implications of regulations on various stakeholders and their potential impact on the expected public service objectives.

Once the risks are identified, the next step is to develop an effective risk management strategy. This strategy allows stakeholders to select appropriate approaches to reduce, transfer or manage those risks. In many cases, this strategy involves the development of better regulations, more effective supervision, and the selection of appropriate policy instruments. Risk management strategies must be aligned with the risks faced and include proactive efforts to reduce the possibility of risks occurring and manage negative impacts that may arise.

Risk monitoring and evaluation is an important stage in risk management in public services. This includes careful monitoring of regulatory implementation and its impact on various stakeholders. Effective supervision ensures that regulations are properly adhered to and that no violations are missed. Risk evaluation also plays an important role in measuring the effectiveness of risk management strategies and whether risks have been reduced as expected. This evaluation allows the government or relevant agencies to re-evaluate strategies and take necessary corrective actions to maintain acceptable risk levels.

Risk management must also be able to adapt to regulatory changes that may occur in an ever-changing public service environment. In the context of regulatory changes, identifying potential new risks that may arise as a result of these changes becomes essential. Developing a risk management strategy that is appropriate to regulatory changes, as well as effective communication to all stakeholders about these changes, is key to ensuring the success of the changes and maintaining the continuity of efficient public services.

With a holistic approach to risk management, the government or public service delivery institutions can create an environment that is more stable, transparent and responsive to community needs. This helps maintain the goal of optimizing regulations and efficient and effective public services. In an era where social, economic and political dynamics are always changing, risk management becomes an important instrument to ensure that public services continue to meet expectations and minimize negative impacts that may arise due to rapid environmental changes.

Successful Integration of Compliance and Risk Management Approaches

Successful integration of compliance and risk management approaches is a key pillar in achieving efficient and effective public services. This approach allows the government to manage risks that may arise as regulations are implemented, while ensuring that compliance with those regulations remains smooth. In this context, there are several positive impacts resulting from this integration that support the goal of better public services.

Improving public service processes is one of the main results of integrating compliance and risk management approaches. With a deeper understanding of the risks that may arise, the government can identify areas that need improvement in the public service process. These corrective actions include simplifying procedures, improving communication with applicants, and increasing transparency. The result is a public service process that is more efficient and more reliable for the community. The integration of these approaches also helps in improving regulatory efficiency and effectiveness. Governments can use the insights gained through risk management to design regulations that are more appropriate and more oriented towards desired outcomes. In many cases, this includes simplifying regulations, increasing transparency, and reducing unnecessary bureaucracy. With better designed regulations, the public and other stakeholders are more likely to comply with the regulations properly.

Apart from aspects of efficiency and effectiveness, justice in public services is also an important focus of the integration of this approach. Governments can leverage insights from risk management to better understand the impact of regulations and public services on various

groups in society. With this understanding, governments can design more inclusive and equitable policies, reducing inequalities in access to and benefits from public services. This creates a fairer environment for society and contributes to the equal delivery of public services to all citizens. Then the integration of compliance and risk management approaches also helps the government respond to external challenges that may arise in an ever-changing environment. With a strong understanding of risks and how they can impact public services, governments can respond quickly to changes in social, economic, or political conditions. This allows the government to maintain flexibility in regulations and public services, as well as take appropriate steps to overcome challenges as they arise.

As time continues, the integration of compliance and risk management approaches has become a necessity for governments to achieve better public services. This approach creates an environment in which regulations and public services work more efficiently, more fairly and more responsive to external changes. By continuing to integrate this approach into public service practices, the government can achieve its main goal of providing quality services and maximally empowering the community.

Evaluation of the Performance of Public Service Regulations

Evaluation of the performance of public service regulations plays a central role in ensuring that the government can provide services that are effective and in line with community needs. The first step in this evaluation is to establish clear evaluation criteria. These criteria include important parameters such as compliance level, operational efficiency, social impact and service quality. With well-defined criteria, governments can better understand what regulations should achieve. Measuring regulatory effectiveness is the next step in the evaluation process. This involves collecting relevant data and information to measure the extent to which regulations have achieved their stated objectives. This data can be obtained through statistical analysis, surveys and monitoring related to the impact of regulations on public services and society as a whole. The results of this effectiveness measurement provide a concrete picture of the extent to which regulations function as expected.

Furthermore, evaluation of regulatory performance has an important role in continuous improvement of regulations. When evaluation results reveal a discrepancy between regulatory objectives and outcomes, the government can take necessary corrective action. These corrective actions may include changing regulations, simplifying procedures, or improving services to the public. Evaluation provides a strong basis for designing systematic and effective improvements. Evaluation of regulatory performance also produces valuable recommendations for improvement. The evaluation results provide a better understanding of regulatory weaknesses and strengths, which can be used to formulate concrete recommendations. These recommendations could include changes in regulatory design, updates to operational procedures, improved communication with stakeholders, or even larger policy changes. With these recommendations, the government can direct improvement efforts systematically and implement appropriate measures.

Regulatory performance evaluation is an important tool that assists governments in ensuring that the regulations implemented achieve their objectives effectively and efficiently. By establishing appropriate evaluation criteria, measuring the effectiveness of regulations, playing a role in continuous improvement, and developing appropriate recommendations, the government can ensure that public service regulations continue to develop in line with society's needs and objectives. Performance evaluation also helps create regulations that are fairer, more transparent and responsive to environmental changes. Thus, evaluating regulatory performance

is an important element in the government's efforts to provide better public services to the community.

Conclusion

An approach that integrates compliance and risk management in public service regulations has a significant positive impact. This integration allows governments to ensure better compliance with regulations while managing risks that may arise. The success of this integration creates an environment where public services become more efficient, effective, fair and responsive to external changes. Improvements in service processes, increased regulatory efficiency, fairness in services, and responsiveness to external challenges are some of the many benefits gained from this integration. Apart from that, evaluating regulatory performance also plays an important role in maintaining the quality of regulations and public services. These evaluations provide a sharper view of the extent to which regulations have achieved their objectives and provide a strong basis for improvement. By establishing appropriate evaluation criteria, measuring the effectiveness of regulations, and developing recommendations, the government can ensure that regulations and public services continue to develop in line with society's needs. Performance evaluation also helps create regulations that are fairer, more transparent and responsive to environmental changes.

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MINISTRATE

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