

## Performance of the Republic of Indonesia Ombudsman Representative Office of North Sulawesi Province in Preventing Maladministration in the Field of Education

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### Abstract

Education is a basic service sector that is very important for the future of the nation, so it is the responsibility of the state to organize it optimally. However, in the practice of its implementation, maladministration is still found. This study aims to examine and analyze the performance of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province in efforts to prevent maladministration in the field of education. This study uses a qualitative descriptive approach with primary and secondary data collection. The focus of the study refers to the theory of organizational performance which includes productivity, responsiveness, and responsibility. Data analysis techniques include data reduction, data presentation, and drawing conclusions. The results of the study indicate that from the productivity aspect, there is still a lack of human resources, lack of training, unavailability of a special budget, and limited facilities and infrastructure. From the responsiveness aspect, the Ombudsman has not been fully able to meet the needs of the community. However, from the responsibility aspect, the implementation of maladministration prevention has been in accordance with applicable provisions. In conclusion, despite various limitations, the performance of the Ombudsman in preventing maladministration in the field of education has been running in accordance with applicable regulations.

**Keywords:** Ombudsman Performance, Prevention, Maladministration, Education

### Introduction

According to Major et al., (2021) education plays a very important role in the future of a country. One of the national goals of the Republic of Indonesia is to "enlighten the life of the nation" as stated in the Preamble to the 1945 Constitution, paragraph four. Education is one of the basic or primary service sectors. Therefore, the government as the state administrator has an obligation to provide educational services for citizens (Zhang, 2022).

In the implementation of educational services, in practice, there are still acts of maladministration (Akinola & Ogunode, 2022). Maladministration is defined as an action or behavior that violates the law and ethics in the process of public service administration. Forms of maladministration include abuse of authority or office, negligence in decision-making and action, neglect of legal obligations, prolonged delays, discriminatory actions, requests for

rewards, and other acts that have similar errors.

Milley & Dulude (2021) stated that, Maladministration is not limited to administrative or administrative aspects alone, but also reflects behavior or procedures that can cause the government system to become inefficient, bad, and inadequate. In other words, acts of maladministration are not merely deviations from the procedures or methods of carrying out the duties of officials, state officials, or law enforcement officers, but can also be categorized as unlawful acts.

The Ombudsman of the Republic of Indonesia is a state institution that has the authority to supervise public services provided by state and government administrators, BUMN, BUMD, BHMN, as well as the Private Sector and Individuals, contributing to supporting the fulfillment of the community's rights to quality public services as mandated by the 1945 Constitution. Operationally, the functions and duties of the Ombudsman of the Republic of Indonesia are increasing and becoming more complex as an implementation of Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, Law Number 25 of 2009 concerning Public Services, Law Number 23 of 2014 concerning Regional Government, and its implementing regulations.

The implementation of supervision of public services such as supervision in education services, health services, law enforcement services and other services in the North Sulawesi Province by the Ombudsman of the Republic of Indonesia, the North Sulawesi Provincial Representative Office, is carried out in accordance with the functions, duties and authorities as provided by laws and regulations. The implementation of all functions, duties and authorities embodied in the programs/activities of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province is a management process system that has been attempted to the maximum, but there are still shortcomings caused by various obstacles.

Support is needed from both internal and external sources of the Ombudsman of the Republic of Indonesia for the success of the implementation of various programs and performance targets. The Ombudsman of the Republic of Indonesia is a state institution established based on Law Number 37 of 2008 concerning the Ombudsman of the Republic of Indonesia and Law Number 25 of 2009 concerning Public Services, which has the main task of overseeing the implementation of public services by the government, state/regional-owned enterprises, legal entities, or private parties that organize public services whose funds are sourced from the APBN or APBD.

In its implementation, the Ombudsman Representative in the region has a number of important tasks, including receiving and following up on public complaints regarding alleged poor administrative practices, conducting investigations into these reports, and being able to conduct independent investigations if indications of maladministration are found. In addition, the Ombudsman Representative also collaborates with various parties such as local governments, agencies, educational institutions, community organizations, and individuals, and builds networks to strengthen supervision of public services.

Efforts to prevent maladministration are an important part of their role, accompanied by the implementation of other tasks assigned by the central Ombudsman. Overall, the Ombudsman Representative is responsible for supervising and improving public services through the

mechanism of receiving reports, investigations, and providing recommendations for improvement. The Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province is a branch of the Ombudsman of the Republic of Indonesia which has a strategic role in ensuring the quality of public services in the North Sulawesi region.

This institution is tasked with examining and resolving public reports, as well as making efforts to prevent maladministration (Reicoba et al., 2020). In addition, the Ombudsman Representative Office of North Sulawesi also carries out various other tasks assigned by the Leadership of the Ombudsman of the Republic of Indonesia. Its main role includes ensuring that the public receives public services in accordance with laws and regulations, as well as encouraging local governments to run efficient, effective, and free governments from detrimental practices such as maladministration, corruption, collusion, and nepotism.

Based on its authority regulated in the Public Service Law and the Regional Government Law, the Ombudsman has the authority to oversee the implementation of public services by government agencies, BUMN, BUMD, legal entities, and private parties that use public funds. In carrying out its duties, the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province focuses on three main areas, namely preventing maladministration, receiving and verifying reports (PVL), and examining reports.

The Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province has the function of supervising the implementation of public services in the North Sulawesi Province, receiving public reports and following up on public reports regarding public services at public service providers deemed not in accordance with applicable regulations. The presence of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province provides significant benefits for the community in the region. Over time, the awareness of the people of North Sulawesi regarding the importance of public services from the organizers continues to grow.

Residents who submit reports to the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province hope that their problems can be resolved quickly and according to expectations (Karwur et al., 2022). Based on data from the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province in the last six years (2019–2024), there has been a fluctuation in the number of public reports received each year. In 2019, there were 499 reports, with 69 reports related to education. The number of reports decreased drastically in 2020 to 223, with 17 reports in the education sector, and continued to decrease in 2021 to 140 reports, with 12 of them related to education. In 2022 there were 185 reports and 12 in the education sector, while in 2023 the number of reports reached 173 with 15 reports in the education sector.

Finally, in 2024 there were 157 reports received, and 17 of them were related to the education sector. This data shows that although the number of public reports has decreased in general, reports related to maladministration in the education sector have consistently emerged every year, reflecting ongoing problems in public services in the education sector in North Sulawesi. The data above shows the number of public reports received by the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province in the last 6 (six) years, namely

2019, 2020, 2021, and 2022 has decreased but in 2023 and 2024 it has increased again. With there still being reports in the education sector, it means that maladministration is still occurring in the education sector.

Based on the report submitted to the Ombudsman RI Representative Office of North Sulawesi Province, the maladministration that occurred in the education sector included levies on committee fees, tuition fees, Monday fees, and so on. The maladministration experienced by the community has occurred repeatedly in the last 6 (six) years (Abiel & Setyowati, 2021). With the above problems, research is needed regarding the Performance of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province in Preventing Maladministration in the Education Sector. This can fulfill the hopes, desires, and demands of the community for educational services that are free from maladministration. Thus, the researcher is interested in conducting research regarding the Performance of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province in Preventing Maladministration in the Education Sector.

## **Methods**

This research was conducted at the office of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province located at Jalan TNI 2 No. 8, Tikala Village, Tikala District, Manado City, and lasted for three months from the preparation of the proposal to the presentation of the research results. The method used is descriptive with a qualitative approach, as stated by Knott et al. (2022); Muzari et al. (2022), emphasizes the importance of in-depth understanding of social phenomena through words, documents, observations, and interviews. The informants in this study were determined by purposive sampling Sugiyono as many as eight people, consisting of one Head of the Ombudsman Representative Office, two Assistants for Maladministration Prevention, two reporters, and three reported. Data collection techniques were carried out through guided interviews (Taherdoost, 2021), non-participatory observation, and documentation. The data sources consist of primary data obtained directly from interviews and observations, as well as secondary data in the form of documents, archives, and reports on the number of public reports in the field of education from 2019 to 2024. The focus of the research is directed at the performance of the Ombudsman RI Representative Office of North Sulawesi Province in preventing maladministration in the field of education using the public performance theory from Dwiyanto (2012) which includes three main indicators: productivity, responsiveness, and responsibility. Productivity reflects the efficiency and effectiveness of services; responsiveness measures the extent to which an organization responds to community needs; and responsibility refers to the suitability of task implementation with the principles of public administration. The data analysis technique uses the Badrun (2022), model which consists of three main stages, namely data reduction, data presentation, and drawing conclusions or verification. Data reduction is carried out to filter important relevant information; data presentation in the form of narratives, tables, or graphs facilitates interpretation; and drawing conclusions is carried out to find patterns, causal relationships, and the interpretation of the data obtained in order to fully describe the performance of the Ombudsman in preventing maladministration of education in North Sulawesi.

## **Results and Discussion**

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This research was conducted at the Office of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province located at Jalan TNI 2 Number 8, Tikala Village, Tikala District, Manado City, North Sulawesi Province. The number of employees working in this office is 22 people, consisting of 1 (one) Head of Representative, 12 (twelve) Assistants, 2 (two) Candidate Assistants, 2 (two) Secretariat staff, and 5 (five) Support Staff. Based on Ombudsman Regulation Number 29 of 2018 concerning Amendments to Ombudsman Regulation Number 10 of 2012 concerning the Establishment, Composition, and Work Procedures of the Ombudsman Representative Office of the Republic of Indonesia in the Regions, it is stated in Article 13 paragraph (1) that the structure of the Ombudsman Representative Office of the Republic of Indonesia consists of a Head of Representative, Assistant Ombudsman, and administrative elements which are part of the Secretariat General.

The Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province has implemented various efforts to prevent maladministration in the field of education. Socialization and education activities on preventing maladministration involving principals, teachers, and parents of students have been carried out in several schools. This activity has proven successful in preventing maladministration in targeted schools, although there are still maladministration practices in other schools that have not received similar socialization and education. In addition, the Ombudsman routinely supervises the implementation of New Student Admissions (PPDB) every year in various educational units, starting from Elementary Schools/Islamic Elementary Schools, Junior High Schools/Islamic Junior High Schools, to Senior High Schools/Vocational High Schools/Islamic Senior High Schools.

This supervision also helps prevent maladministration in the PPDB process in supervised schools. However, maladministration is still found in schools that are not the target of supervision. In 2021, the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province also carried out a Rapid Assessment activity on the potential for illegal levies in educational services in state secondary education units. The results of the study led to the issuance of North Sulawesi Governor Regulation Number 20 of 2021 concerning Community Participation in Education Financing at the Senior High School (SMA), Vocational High School (SMK), and Special School (SLB) levels. This regulation regulates the mechanisms and sources of funds derived from community participation in supporting education financing at the secondary education level in North Sulawesi Province.

## **Productivity**

Productivity in public services does not only reflect the level of efficiency, but also the effectiveness in achieving service goals (Dwiyanto, 2012). This study aims to examine the resources owned by the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province, especially in implementing the task of preventing maladministration in the field of education. The resources studied include human resources, facilities and infrastructure, and budget.

In this study, the researcher used the participant observation method, namely by being directly involved in the daily activities of individuals who were observed or used as data sources. The researcher not only made observations, but also participated in several secretarial administration

activities carried out by the research subjects, and felt directly the dynamics of the existing work. In this case, the author is part of the Secretariat General of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province, which allows observations to be carried out in depth and contextually.

Currently, the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province has a total of 22 (twenty-two) employees. However, specifically in the field of Maladministration Prevention Assistance, there are only 2 (two) people responsible. The scope of the work area covers the entire Province of North Sulawesi, consisting of 15 (fifteen) districts/cities. This condition shows that the number of human resources in the field of maladministration prevention is still very limited when compared to the breadth of the work area and the complexity of the problems handled. This limitation is one of the main challenges in optimizing services and preventing maladministration in the education sector.

Based on the results of observations and interviews, it was found that the number of assistants in the Maladministration Prevention Assistance of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province is still very limited. Therefore, additional employees are needed. However, the recruitment process cannot be carried out quickly and easily because it must go through a long mechanism, requires a fairly large budget, and obtains approval from the head office.

In terms of human resource quality, there are no assistants in the field of maladministration prevention who have a formal educational background in education. This is a challenge in itself considering that the focus of their work is preventing maladministration in the education sector. So far, the training provided has been more related to technical support aspects, such as videography and photography training, rather than the substance of education or public policy in the education sector. Therefore, special training on preventing maladministration in the education sector is very much needed to improve human resource capacity.

In addition to the limited number and scientific background, the assistants are also burdened with dual duties. They are not only responsible for implementing the maladministration prevention program, but also participate in other tasks such as receiving and verifying public reports and examining and resolving reports. Despite facing various obstacles, the implementation of targeted programs, especially those related to preventing maladministration in the education sector, can still be carried out well. This shows that existing human resources have been maximized optimally in order to achieve program targets in North Sulawesi.

In terms of budget, the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province uses funds from the State Budget (APBN). Based on the Financial Note and APBN for the 2024 Fiscal Year obtained from the official website of the Ministry of Finance, the budget allocation for the Ombudsman of the Republic of Indonesia is IDR 206,183,000,000.00. This fund must be divided between one head office and 34 representative offices throughout Indonesia, including the North Sulawesi Provincial Representative Office. The budget allocation is provided in the form of Operational Activity Instructions (POK). However, in the preparation of the POK, the representative office is not directly involved, so that often the programs designed at the center do not fully match the real needs at the regional level, including in North Sulawesi.



In 2024, the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province received a budget allocation through the Operational Activity Instructions (POK) of IDR 1,004,876,000.00 (one billion four million eight hundred and seventy-six thousand rupiah). Of this amount, the budget allocation for the field of Maladministration Prevention reached IDR330,323,000.00 (three hundred thirty million three hundred twenty three thousand rupiah). The budget is divided into several programs, namely: Survey of Regional Government Compliance with the implementation of Law Number 25 of 2009 amounting to IDR277,340,000.00; and Suggestions for Improvement of Public Service Policies for Persons with Disabilities amounting to IDR52,983,000.00. However, there is no special allocation for Maladministration Prevention activities in the field of education.

Although there is no special budget available, the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province continues to implement the Maladministration Prevention program in the field of education. The strategy used is to integrate these prevention activities into other activities such as inspections, handling reports, and receiving and verifying reports. This is done so that the program target can still be achieved even though budget constraints are the main obstacle.

In addition, on July 3, 2024, the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province also participated as a resource person in the Action Plan for the Development of Public Service Supervision Networks in the Education Sector organized by the Education Quality Assurance Center (BPMP) of North Sulawesi Province. This activity was attended by several Heads of Education Offices in districts and cities throughout North Sulawesi, and became a form of cross-agency collaboration to support the prevention of maladministration in the education sector.

In terms of facilities and infrastructure, the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province faces various limitations. Several supporting tools such as cameras, voice recorders, and video recorders are already damaged or use old technology. The photocopier and a number of printers are not functioning properly, while the operational official vehicle available is only one unit. In practice, the assistants use personal devices, such as cell phones and private vehicles, and take turns using printers that can still be used to support the smooth running of their duties.

Despite facing limitations in human resources, budget, and facilities, the Maladministration Prevention program in the education sector has been successfully implemented. This reflects that the productivity aspect in carrying out tasks at the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province continues to run well. The targets that have been set have been achieved by maximizing available resources.

## **Responsiveness**

Responsiveness is the ability of a public organization to recognize community needs, set service agendas and priorities, and develop public service programs that are in accordance with the needs and aspirations of the community (Dwiyanto, 2012). In other words, responsiveness reflects the extent to which service programs and activities are in line with the real needs of the community. In this study, responsiveness is used as one of the performance indicators because

it directly describes the ability of a public organization to carry out its mission and objectives, especially in efforts to meet community needs.

The more community needs and aspirations are accommodated through the programs run, the better the responsiveness of the public organization can be assessed (Purwanto et al., 2023). The real manifestation of the responsiveness of the Ombudsman of the Republic of Indonesia, North Sulawesi Province Representative Office in recognizing and responding to community needs is reflected in its mission, namely: Improving the Quality of Service of the Ombudsman of the Republic of Indonesia and Encouraging Improvement of the Quality of Public Services.

Based on the results of interviews and observations of internal parties of the Ombudsman of the Republic of Indonesia, North Sulawesi Province Representative Office, it can be seen that this institution shows a high level of responsiveness, especially in the Maladministration Prevention program in the field of education. All programs designed in this sector have been implemented well, despite facing various obstacles such as limited human resources, minimal budget, and lack of adequate facilities and infrastructure.

Meanwhile, the results of interviews and observations with external parties—namely the reported party and the reporter—showed different findings. The reported party in this context is the school as the organizer of public services in the field of education, namely the principals of three levels: State Elementary Schools, State Junior High Schools, and State Vocational High Schools. The three principals provided information that they had never been invited by the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province to participate in the Prevention of Maladministration in the Field of Education activity.

The Principal of the State Elementary School stated that he was aware of the existence of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province, but did not understand its duties and authorities, and did not understand the concept of preventing maladministration in the field of education. The Principal of the State Junior High School said that he was aware of the existence and understood the duties and authorities of the Ombudsman of the Republic of Indonesia, but still did not understand substantially about preventing maladministration in the education sector. He also added that the teachers at his school experienced the same thing.

The principal of a State Vocational High School admitted to knowing about the existence of the Ombudsman RI Representative Office of North Sulawesi Province, but did not understand its duties and authorities, and did not understand the aspects of preventing maladministration in the field of education. The three principals expressed their hope that the Ombudsman RI Representative Office of North Sulawesi Province could organize socialization and education activities related to the duties, authorities, and efforts to prevent maladministration in the field of education directly in their respective schools.

These activities are expected to involve the principal, teachers, and parents of students, and be accompanied by the signing of a joint memorandum of understanding. The aim is to ensure that maladministration practices no longer occur in the schools they lead. The reporter, in this case, is the parent of the student as a user of public services in the field of education. Based on the results of the interview, it was discovered that they had never been invited by the Ombudsman



of the Republic of Indonesia Representative Office of North Sulawesi Province to participate in activities to prevent maladministration in the field of education.

A parent of a State Elementary School revealed that initially he did not know about the existence of the Ombudsman RI Representative Office of North Sulawesi Province. When he experienced maladministration practices at his child's school, he felt confused and did not know where to report it. After getting information from fellow parents, he finally learned that the report could be submitted to the Indonesian Ombudsman. After reporting, the problems faced were resolved well by the Ombudsman.

A similar thing was also experienced by the parents of a student from a State Junior High School. He did not know about the existence of the Indonesian Ombudsman until he got information from social media. After reporting, his report was followed up and resolved satisfactorily.

Both parents expressed their hope that the Indonesian Ombudsman Representative of North Sulawesi Province would hold socialization and education activities related to the duties, authorities, and prevention of maladministration in the field of education. They hope that these activities will be carried out directly at their children's school, involving the principal, teachers, and parents of students. Their hope is that the maladministration practices that they experienced will not happen again, either at their children's school or at other schools.

In terms of responsiveness, the Indonesian Ombudsman Representative of North Sulawesi Province is considered to have responded to and resolved public reports well, especially regarding cases of maladministration that have occurred in the field of education. However, responsiveness in the form of preventing maladministration has not been fully implemented optimally, especially in schools that have not been reached by socialization and education programs that should be able to prevent maladministration from an early stage.

### **Responsibility**

Responsibility is the ability of an organization to regulate the extent to which service provision is carried out in accordance with applicable regulations or procedures that have been established based on correct administrative principles, both explicit and implicit in organizational policies (Sari, 2022). In the context of this study, responsibility refers to the implementation of the duties of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province in preventing maladministration in the field of education, which is based on formally applicable systems, mechanisms, and procedures.

As a manifestation of this responsibility, the implementation of the Maladministration Prevention program by the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province has referred to the Regulation of the Ombudsman of the Republic of Indonesia Number 41 of 2019 concerning Procedures for Preventing Maladministration in the Provision of Public Services. This regulation contains three main stages, namely detection, analysis, and treatment of the implementation of suggestions.

The detection stage is carried out by identifying potential maladministration in the field of education, especially those carried out by schools, and raising problematic issues that need to be fixed. The analysis stage is carried out by ensuring the existence of maladministration, identifying

the causes, and formulating improvements by providing suggestions to service providers. The implementation of the suggestion treatment stage is carried out through monitoring activities on the implementation of suggestions, publication of suggestions, and assistance to the parties who are the objects of supervision.

Two assistants who are in charge of the Prevention of Maladministration revealed that the entire process has been carried out according to the specified stages. However, they said that the existing procedures tend to be too administrative. Each stage requires a lot of documents and working papers, and takes a lot of time. However, the final result can be accounted for and is in accordance with applicable provisions. Based on the explanations above, the Performance of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province in the Prevention of Maladministration in the Field of Education from the aspect of responsibility has been running well. However, the process is too administrative, requires a lot of working papers and takes a lot of time to complete.

## Conclusion

Based on the research results, it can be concluded that the performance of the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province in preventing maladministration in the field of education, reviewed from three main aspects, namely productivity, responsiveness, and accountability, shows quite good achievements but still faces a number of obstacles. In terms of productivity, the maladministration prevention program has been implemented even though it is not supported by adequate human resources in terms of both quantity and competence, as well as budget limitations and inadequate infrastructure. Many assistants have to carry out dual duties and do not have special training in the field of education. In terms of responsiveness, activities such as socialization and community education have been carried out, but have not been optimal due to the lack of budget and the low understanding of the agency regarding the role of the Ombudsman. Meanwhile, in terms of responsibility, the implementation of duties has been in accordance with applicable regulations, although the administrative process is considered too manual and time-consuming. To improve performance in preventing maladministration in the field of education, it is recommended that the Ombudsman of the Republic of Indonesia Representative Office of North Sulawesi Province increase the number of assistants for preventing maladministration, provide relevant training, and reduce the burden of dual duties so that performance is more focused and optimal. In addition, there needs to be active involvement in the preparation of Operational Activity Instructions (POK) so that the budget prepared is in accordance with real needs in the field. Procurement of modern and adequate facilities and infrastructure is also important. In terms of responsiveness, the Ombudsman needs to increase the intensity of socialization and education to the community and establish formal cooperation with educational institutions so that maladministration prevention programs are better known and implemented. Finally, there needs to be a revision to the Republic of Indonesia Ombudsman Regulation Number 41 of 2019 so that the work mechanism is not too administrative and can be supported by a digitalization system for work effectiveness and efficiency in the future.

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