

## Policy Analysis of Employee Competency Development Systems Through Corporate Universities within the Ministry of Law and Human Rights

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**Abstract.** *The latest ASN Law is Law Number 20 of 2023 on 31 October 2023 concerning State Civil Apparatus, where it is stated that the basic values of ASN include Service Oriented, Accountable, Competent, Harmonious, Loyal and Adaptive. The value of "Competent" itself is closely related to the rights and opportunities for ASNs to develop competence. Apart from being an agency obligation, this competency development obligation should also become an awareness for civil servants in meeting their individual targets. Increasing the competency of Human Resources in the field of Law and Human Rights is one of the Strategic Targets of the Ministry of Law and Human Rights for 2020-2024, whose function is carried out by the Human Resources Development Agency for Law and Human Rights. The Ministry of Law and Human Rights has regulations regarding competency development in Minister of Law and Human Rights Regulation Number 26 of 2022 which mandates the Ministry of Law and Human Rights Corporate University (Kemenkumham CorpU). This research will discuss whether the competency development system policy through the implementation of the Ministry of Law and Human Rights CorpU which has been implemented at the Legal and Human Rights Education and Training Center has been implemented in accordance with the principles of good governance, and to determine the legal effectiveness of this policy. This research uses an empirical juridical approach, with descriptive analysis methods from data and interviews. The results of this research can be concluded that the implementation of the competency development system policy implemented by the Central Java Law and Human Rights Education and Training Center has implemented the principles of good governance, including rule of law, justice/equity, effectiveness and efficiency (effectiveness and efficiency), accountability (accountability), and strategic vision (strategic vision). In its implementation, competency development*

*at the Legal and Human Rights Education and Training Center also has obstacles and problems from both internal and external factors that influence the effectiveness of implementing legal policies therein. For this reason, strategic steps are needed to overcome future obstacles.*

**Keywords:** *Competency; Development; Effectiveness; Governance.*

## 1. Introduction

Increasing the competency of Human Resources in the field of Law and Human Rights is one of the Strategic Targets of the Ministry of Law and Human Rights for 2020-2024. BPSDM Law and Human Rights has a big role in increasing HR competency within the Ministry of Law and Human Rights. By implementing a strategy for implementing integrated competency development (CorpU), all ASN within the Ministry of Law and Human Rights can accelerate their performance optimally and minimize potential and problems well.<sup>1</sup>

The Ministry of Law and Human Rights has regulations related to competency development in Minister of Law and Human Rights Regulation Number 26 of 2022 which is the implementation of the provisions of Article 203 paragraph (4a) of Government Regulation Number 11 of 2017 as amended by Government Regulation Number 17 of 2020. Education Center and Central Java Law and Human Rights Training implements these regulations by carrying out competency development activities through the Ministry of Law and Human Rights CorpU strategy broadly, both for ASN in their work areas as an extension of BPSDM Law and Human Rights, as well as developing the competency of employees in their ranks.

Historically, the corporate university concept was built in order "to fill a void which has developed between corporations and universities, as the demand created by corporations and the supply provided by the public university sector are changing and drifting further apart."<sup>2</sup>Empirically, corporate universities are further understood in the form of educational and training institutions or units that are embedded in institutions, both companies and government agencies. The application of this concept is also starting to be developed in government institutions in Indonesia, such as the Ministry of Finance, with the hope that this concept can contribute positively to changing the organizational paradigm of the

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<sup>1</sup>Human Resources Development Agency for Law and Human Rights, 2020, BPSDM Strategic Plan for Law and Human Rights for 2020-2024, downloaded on 11 February 2022, via <https://bpsdm.kemenumham.go.id/information-publik/report-2/renstra>.

<sup>2</sup>Eddie Blass, 2005, "The Rise and Rise of the Corporate University," Journal of European Industrial Training 29, no. 1 p : 58–74.

Ministry.<sup>3</sup>

Law Number 25 of 2009 in article 1 paragraph 1 states the definition of public services as services in accordance with statutory regulations for every citizen and resident for goods, services and/or administrative services provided by public service providers. In another sense, public services are described as serving the needs of people, communities/organizations, who have an interest in the organization, in accordance with the basic rules and procedures determined with the aim of providing satisfaction to service recipients.<sup>4</sup>

The State Civil Service as a key element of Human Resources in government, has an important role in determining the success of government and development. ASN who have the ability to carry out this role must have competence which is demonstrated and measured by high levels of discipline, good performance, implementing a code of ethics and behavior, full loyalty and obedience to the Unitary State of the Republic of Indonesia both morally and mentally, professionally, understanding responsibilities. as a public servant and the glue that unites the nation.<sup>5</sup>

ASN as the main element of human resources in government has an important role in determining the success of government administration and development. To carry out this role, State Civil Apparatus (ASN) must have competence demonstrated by high discipline, good performance and attitudes and behavior that are full of loyalty and obedience to the state, both morally and mentally, professional, aware of their responsibilities as a member of society. <sup>6</sup>The low quality of ASN services is largely related to the level of professionalism, the inadequate quality of ASN work is also the result of an unbalanced ratio between the number of ASN employees and the community they serve or their stakeholders, in addition to the low competence of the ASN employees concerned.<sup>7</sup>

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<sup>3</sup>Harison Citrawan, 2019, Pursuing Corporate University Strategy: Reflections on the Ministry of Law and Human Rights as a Learning Organization. Balitbangkumham Press (IKAPI Member), p. 2

<sup>4</sup>Reskiyani, 2023, Juridical Review of State Civil Service Services in Regional Agencies Based on Law Number 25 of 2009 concerning Public Services, Vol. XII, No. 1, Law Faculty Journal, p. 1

<sup>5</sup>Widya Pratiwi Asmara, et.al., 2019, Staffing Application System in the Development and Supervision of Employee Based on Information Technology (IT) in order to Good Government at Regional Office of Ministry of Justice and Human Rights of Central Java (Case Study at Regional Regional Office of Ministry of Justice and Human Rights of Central Java, Journal of Sovereign Law Volume 2 (4) pp. 470

<sup>6</sup>Sufi Hamdani Kurniawan and Sri Kusriyah, 2019, Revitalization Program Of The Market In Improving Infrastructure Development And Participation Of The Market Traders, Jurnal Daulat Hukum (Vol 2 No.3), p. 437.

<sup>7</sup>Paath, 2018 and Komara, 2018, quoted from Endang Komara, 2019, Professional Competencies of ASN (State Civil Apparatus) Employees in Indonesia, Volume 4(1), p. 74

In carrying out its duties, ASN is based on the principles of: legal certainty, professionalism, proportionality, integration, delegation, neutrality, accountability, effectiveness and efficiency, openness, non-discrimination, unity and oneness, justice and equality, and prosperity.<sup>8</sup> The basic values that ASN must have are upholding Pancasila and the 1945 Constitution of the Republic of Indonesia as ideology, and being loyal to the Unitary State of the Republic of Indonesia (NKRI) and its legitimate government. The basic values of ASN that must be implemented in carrying out their functional duties consist of being service oriented, accountable, competent, harmonious, loyal, adaptive and collaborative or commonly known as BerAKHLAK.<sup>9</sup>

Article 49 of Law Number 20 of 2023 states that "Every ASN employee is obliged to develop competence through continuous learning in order to remain relevant to the demands of the organization. Competency development can be done through education and training, seminars, courses and upgrading. The competency required by ASN is now increasingly broader in scope, not only competency in the technical field, but existing human resources are required to have soft skills in facing challenges and demands for innovation, think creatively, analyze actual issues with ideas for solving the problem, be adaptive and satisfaction-oriented service user community.

State Civil Apparatus as public service officers are required to move according to the goals of bureaucratic reform in providing the best service to the community. The quality of human resources is a concern that must continue to be improved so that ASN has the competencies needed to create a world-class bureaucracy. Apart from being an agency obligation, the obligation to develop these competencies should become an awareness for ASNs in meeting their individual targets. The current issue is the lack of individual awareness in improving personal competence, especially in the legislation which does not specify rewards and punishments.

Current policies will of course undergo adjustments to the policies that will be issued based on the latest law. For this reason, the author feels it is necessary to analyze the competency development system policy implemented at the Central Java Law and Human Rights Education and Training Center based on the relevant principles of good governance, namely the principles of law enforcement, fairness, effectiveness and efficiency, accountability and strategic vision, as well as conducting an analysis based on the effectiveness of the law in providing a picture of ideal implementation in future policy formulation.

## 2. Research Methods

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<sup>8</sup>Law Number 20 of 2023 concerning State Civil Apparatus, article 2.

<sup>9</sup>Law Number 20 of 2023 concerning State Civil Apparatus, article 3.

This research uses an empirical juridical approach, Descriptive Analysis research specifications with primary and secondary data sources, Literary Study Data Collection Methods and Qualitative Data Analysis.

### **3. Result and Discussion**

#### **3.1. Implementation and Obstacles in Employee Competency Development through the Ministry of Law and Human Rights Corporate University at the Central Java Law and Human Rights Education and Training Center**

The Central Java Law and Human Rights Education and Training Center has 21 ASN human resources. The Central Java Law and Human Rights Education and Training Center is led by the Head of the Education and Training Center in charge of 3 (three) Supervisory Officers consisting of the Head of the Administration Subdivision, Head of the Organizing Section, Head of the Program and Evaluation Section, supported by 13 (thirteen) implementers , 4 (four) functional officials. The education level of employees at the Law and Human Rights Education and Training Center is from the lowest high school level to the highest level of Master's degree. This research determines the population, namely civil servants at the Central Java Education and Training Center who have fulfilled 20 JP competency development per year for two consecutive years in 2022 and 2023 which represents implementation before and after the enactment of the Minister of Law and Human Rights Regulation regarding the implementation of competency development in an integrated manner in the field of Law and Human Rights Number 26 of 2022. Apart from the data available, research was carried out using in-depth interviews. The sampling technique used in this research is a purposive sampling technique, based on the research objective, namely to determine the implementation of the competency development system through the Ministry of Law and Human Rights CorpU at the Law and Human Rights Education and Training Center. Researchers determine the informant criteria as follows:

- a. Civil Servant status;
- b. Occupy an administrative position, functional position or executive position;
- c. Has fulfilled the competency development of 20 JP per year for two consecutive years in 2022 and 2023.

Based on the results of data analysis and interviews conducted, the results obtained were that the Central Java Law and Human Rights Education and Training Center had implemented the principles of good governance in implementing the Kemnekumham CorpU policy as follows:

a. Law enforcement: The Legal and Human Rights Education and Training Center consistently carries out competency development based on applicable law, including:

1) Law Number 5 of 2014 and updated with Law Number 20 of 2023 concerning ASN;

2) Government Regulation Number 11 of 2017 and Number 17 of 2020 concerning Developing Civil Servant Competencies;

3) Minister of Law and Human Rights Regulation Number 26 of 2023 concerning Implementation of Competency Development through an Integrated Learning System in the Field of Law and Human Rights.

b. Fair: The competency development system implemented at the Law and Human Rights Education and Training Center is aimed at all employees clearly and openly in the context of implementing the Ministry of Law and Human Rights CorpU.

c. Effectiveness and efficiency: The competency development system through the Ministry of Law and Human Rights CorpU at the Law and Human Rights Education and Training Center is considered effective to implement. This system can be said to be efficient considering that classical types of training are limited in number and opportunities, non-classical types of training and other types of activities such as webinars, technical guidance, coaching and mentoring, and others are alternatives that can be carried out, even now learning can be done independently using various media and more flexible time.

d. Accountability: The principle of accountability can be said to have been implemented through the implementation of the Employee Competency Development System Policy through the Corporate University. This can be seen from several aspects that have been fulfilled by the Central Java Law and Human Rights Education and Training Center, including:

1) Leaders and staff understand the rules and authority in the competency development process;

2) Leaders support employees in carrying out competency development in accordance with applicable laws and regulations;

3) Preparation of an analysis of internal employee training needs has been carried out;

4) Formulation and development of learning designs in the implementation of

the Ministry of Law and Human Rights CorpU have been carried out;

5) Publication of information on the implementation of competency development for all employees and internalization/internal socialization of the Ministry of Law and Human Rights CorpU have been carried out.

6) Preparing reports and conducting regular evaluations has been carried out.

e. Strategic vision: Central Java Law and Human Rights Education and Training Center increases employee human resource competency towards SMART ASN and AKHLAK in order to improve service quality. The form of competency development adapts to current developments and utilizes information technology. The steps that have been taken include:

1) Development of independent learning applications to be accessible to all (ASN and PPPK) Ministry of Law and Human Rights, namely the Badiklat Learning Center;

2) Developing a Kemenkumham CorpU learning design that prioritizes learning connectivity and prioritizes knowledge sharing.

Through the results of the analysis carried out, it can be described the factors that are obstacles in implementing the Employee Competency Development System Policy through the Ministry of Law and Human Rights Corporate University at the Central Java Law and Human Rights Education and Training Center, as follows:

a. Internal factors:

1) The self-awareness of Central Java Education and Law and Human Rights Center employees is not yet optimal in carrying out competency development independently, they still tend to be based on direction and appointment from the leadership;

2) Employees do not fully understand their obligations as ASN and implement ASN's basic values in terms of competency development;

3) Lack of employee awareness to store or document the results of competency development carried out because they feel it is not needed in performance appraisals;

4) Lack of employee desire to compete and resist change;

5) Often employees do not submit data on the results of competency

development that has been implemented to the admin of the Personnel Information System application, resulting in the data not being properly documented and affecting the ASN professionalism index value.

b. External factors

1) Limited quota of participants for competency development through training organized by the Central Java Law and Human Rights Education and Training Center;

2) Incompatibility of the types and areas of competency development through training held with those required by employees;

3) There are no rules for recording/documenting employee competency development that are integrated with the Ministry of Law and Human Rights' Personnel Information System, it is still carried out centrally through administrators, and not carried out independently by each employee;

4) There are no regulatory mechanisms for providing rewards or punishment for employees who have carried out competency development in accordance with position standards and met the target of 20 hours of learning per year.

**3.2. Ideal future implementation of the employee competency development system policy through the Ministry of Law and Human Rights Corporate University within the Ministry of Law and Human Rights at the Central Java Law and Human Rights Education and Training Center**

The Ministry of Law and Human Rights as an organization has fulfilled its obligation to provide competency development facilities for its employees through an integrated competency development policy with the implementation of the Ministry of Law and Human Rights CorpU at all levels, and has been implemented by employees at the Legal and Human Rights Education and Training Center. However, this does not necessarily work well, if it only becomes a policy, without any concrete action being taken. The foundation of a country lies in its Human Resources and Natural Resources. Meanwhile, the qualities that determine the progress and development of a country are education and human resources who have the ability to manage the natural resources they have. The human resources owned by the government in this case are the State Civil Apparatus. In the article entitled Developing Countries Because of the Quality of Human Resources.<sup>10</sup>

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<sup>10</sup>"Advanced Countries Because of the Quality of Human Resources", article on the media news page of the Directorate General of State Assets, Ministry of Finance of the Republic of Indonesia,



Article 49 of Law Number 20 of 2023 states that every ASN employee is obliged to develop competency through continuous learning in order to remain relevant to the demands of the organization. The law also states that competency development is the right of all ASN. Talking about fulfilling rights, the concept that takes priority as an ASN is carrying out obligations. The obligations referred to here refer to the concept of competency development as an obligation that must be carried out as an ASN in cultivating competent values, in accordance with the obligations referred to in Law Number 20 of 2023, namely to implement ASN basic values as well as a code of ethics and code of behavior. In fact, the basic values of ASN BerAKHLAK cannot stand alone and support each other. If the ASNs owned by the Legal and Human Rights Education and Training Center are all competent and develop themselves, it will improve services to its stakeholders. It is hoped that the work carried out will be more accountable and also prepared to face the risk of change in the future, be fast and responsive in work, because competency development here does not only talk about knowledge but also increases the soft skills of employees.

In the ASN professionalism index assessment, competency is one of the four assessment dimensions and is an inseparable component along with the dimensions of qualification, performance and discipline. Data sources for measuring the ASN Professionalism Index were obtained from several validated sources<sup>11</sup> includes:

- a. Personnel Service Application System (SAPK);
- b. Civil Servant Re-registration (e-PUPNS);
- c. Civil Servant Job Performance Assessment; And
- d. Employee Disciplinary Punishment Data.

The Ministry of Law and Human Rights' Personnel Information System (Simpeg) has third and fourth source data. The competency dimension is closely related to ASN professionalism by contributing the highest value weight among other assessment dimensions, namely 40%.<sup>12</sup> Referring to this, it can be used as a basis for linking the competency development that has been carried out with the

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accessed via Advanced Countries Because of the Quality of Human Resources ([kemenkeu.go.id](http://kemenkeu.go.id)), on November 6 2023

<sup>11</sup>Ministerial Regulation Ministerial Regulation for Empowerment of State Apparatus and Bureaucratic Reform of the Republic of Indonesia Number 38 of 2018, Measuring the Professionalism Index of State Civil Apparatus, article 10

<sup>12</sup>Ministerial Regulation Ministerial Regulation for Empowerment of State Apparatus and Bureaucratic Reform of the Republic of Indonesia Number 38 of 2018, Measuring the Professionalism Index of State Civil Apparatus, article 12

assessment of civil servant work performance. So, to address existing obstacles in implementation, a system is needed that can accommodate the documentation of employee competency development results, which is integrated with the Civil Servant Performance Achievement Assessment at the Ministry of Law and Human Rights.

Implementation of the Ministry of Law and Human Rights CorpU requires awareness of all parties, not only policy makers but all employees in the ranks of the Ministry of Law and Human Rights, especially civil servants at the Legal and Human Rights Education and Training Center as policy implementers under them. Appropriate future implementation according to the discussion in this research is as follows:

- a. optimizing various areas of competency development in accordance with functional duties and the standard competency requirements of positions for employees at the Legal and Human Rights Education and Training Center, through the Ministry of Law and Human Rights CorpU's learning, organizing non-classical training and orderly documenting the results of competency development, with the aim of accountability and improving ASN professionalism index value;
- b. increase the self-awareness and competitive spirit of civil servants at the Central Java Education and Law and Human Rights Center to carry out independent competency development through various Kemenkumham CorpU activities, supported by leadership as role models providing good examples, internalizing and providing motivation to the ranks. All civil servants at the Central Java Law and Human Rights Education and Training Center understand that competency development is a necessity for ASN, and always implement ASN basic values, especially in terms of competency development.
- c. There is a need for a new policy regarding a competency development system that is integrated with the employee performance assessment system.

#### **4. Conclusion**

The appropriate future implementation according to the discussion in this research is to optimize various areas of competency development in accordance with functional tasks and the competency standard requirements of positions for employees at the Legal and Human Rights Education and Training Center, as well as to document in an orderly manner the results of competency development, with the aim of accountability and improving ASN professionalism index value. Internalization from leadership to all employees at the Law and Human Rights

Education and Training Center is also needed to understand that according to the mandate of Law Number 20 of 2023, competency development is a necessity for ASN and it is ASN's obligation to fulfill it. Apart from that, there is a need for a new policy regarding a competency development system that is integrated with the employee performance assessment system.

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