

Increasing local government responsibility for communal scale sanitation

Part 1: Review of national program guidelines and two city case studies

CONSULTANT REPORT



INDONESIA INFRASTRUCTURE INITIATIVE

Increasing local government responsibility for communal scale sanitation

Part 1: Review of national program guidelines
and two city case studies

CONSULTANT REPORT

Date : 28 February 2017

INDONESIA INFRASTRUCTURE INITIATIVE

This document has been published by the Indonesia Infrastructure Initiative (IndII), an Australian Government supported project designed to promote economic growth in Indonesia by enhancing the relevance, quality and quantum of infrastructure investment.

The views expressed in this report do not necessarily reflect the views of the Australia Indonesia Partnership or the Australian Government. Please direct any comments or questions to the IndII Director, tel. +62 (21) 7278-0538, fax +62 (21) 7278-0539. Website: www.indii.co.id.

ACKNOWLEDGEMENTS

This report has been prepared by the Institute for Sustainable Futures at the University of Technology Sydney and Centre for Regulation, Policy and Governance, University Ibn Khaldun Bogor, who were engaged under the Indonesia Infrastructure Initiative (IndII), an Australian Aid project managed by SMEC on behalf of the Australian Government, as part of the Activity U100.2.

We gratefully acknowledge the support provided through the research partnership with BAPPENAS, particularly Fany Wedahuditama and Aldy Mardikanto and vale Pak Nugroho for this research partnership. In addition, we recognise the contribution of the project partners AKSANSI and other project stakeholders: Ministry of Public Works, Ministry of Home Affairs and BPKP; IUWASH and USDP. Importantly, we appreciate the local government and community groups in Kabupaten Bantaeng and Kota Bogor who generously gave their time to the research. Finally, we thank Ikabul Arianto and Jim Coucouvinis for their support and insights throughout this project. Any errors of fact or interpretation are solely those of the authors.

Authors: Freya Mills, Juliet Willetts and Mohamad Mova AlÁfghani

12 March 2017.

© IndII 2016

All original intellectual property contained within this document is the property of the Indonesia Infrastructure Initiative (IndII). It can be used freely without attribution by consultants and IndII partners in preparing IndII documents, reports designs and plans; it can also be used freely by other agencies or organisations, provided attribution is given.

Every attempt has been made to ensure that referenced documents within this publication have been correctly attributed. However, IndII would value being advised of any corrections required, or advice concerning source documents and/ or updated data.

TABLE OF CONTENTS

| | |
|--|----|
| EXECUTIVE SUMMARY | V |
| RINGKASAN EKSEKUTIF | IX |
| CHAPTER 1: INTRODUCTION | 1 |
| 1.1 BACKGROUND COMMUNAL SCALE SANITATION IN INDONESIA..... | 1 |
| 1.2 RESEARCH HAS FOUND CHALLENGES TO SUSTAINABILITY | 3 |
| CHAPTER 2: METHOD | 5 |
| 2.1 RESEARCH QUESTIONS..... | 5 |
| 2.2 RESEARCH APPROACH | 5 |
| CHAPTER 3: OUTLINING A CO-MANAGEMENT APPROACH..... | 7 |
| 3.1 MONITOR AND MAINTAIN RECORDS | 7 |
| 3.2 PROVIDE TECHNICAL AND SOCIAL SUPPORT TO KSM/KPP | 9 |
| 3.3 FORMALISE FEE SETTING AND COLLECTION | 10 |
| 3.4 FUND MAJOR COSTS | 11 |
| CHAPTER 4: CASE STUDY KABUPATEN BANTAENG | 13 |
| 4.1 BACKGROUND | 13 |
| 4.2 MINIMUM RESPONSIBILITIES..... | 14 |
| 4.2.1 Monitoring | 15 |
| 4.2.2 Technical and Social Support | 17 |
| 4.2.3 Setting the user fee and authority for collection | 18 |
| 4.2.4 Major costs..... | 20 |
| 4.3 INSTITUTIONAL ARRANGEMENTS FOR MINIMUM LOCAL GOVERNMENT RESPONSIBILITIES..... | 21 |
| 4.4 GENDER CONSIDERATIONS FOR COMMUNAL SCALE SYSTEMS | 22 |
| CHAPTER 5: CASE STUDY KOTA BOGOR..... | 24 |
| 5.1 BACKGROUND | 24 |
| 5.2 MINIMUM RESPONSIBILITIES..... | 25 |
| 5.2.1 Monitoring | 25 |
| 5.2.2 Technical and Social Support to KSM/KPP | 27 |
| 5.2.3 Setting user fee and authority for collection | 28 |
| 5.2.4 Major costs..... | 30 |
| 5.3 INSTITUTIONAL ARRANGEMENTS FOR MINIMUM LOCAL GOVERNMENT RESPONSIBILITIES..... | 31 |
| 5.4 GENDER CONSIDERATIONS FOR COMMUNAL SCALE SYSTEMS | 32 |
| CHAPTER 6: SANIMAS GUIDELINES REVIEW | 33 |
| 6.1 APPROACH TO THE GUIDELINE REVIEW | 33 |
| 6.2 ALLOCATION OF RESPONSIBILITIES TO COMMUNITY AND TO LOCAL GOVERNMENT | 34 |
| 6.3 POST-CONSTRUCTION FINANCING | 35 |
| 6.4 ASSET OWNERSHIP AND KSM LEGAL STATUS | 37 |
| 6.5 GENDER CONSIDERATIONS IN THE GUIDELINES..... | 39 |
| CHAPTER 7: CONCLUSIONS AND LOOKING FORWARD | 40 |
| ANNEXES | 43 |
| ANNEXE 1: CASE STUDY METHODOLOGY | 43 |
| ANNEXE 2: A - SANIMAS RECOMMENDED UPDATES (ENGLISH)..... | 50 |
| B - SANIMAS RECOMMENDED UPDATES (INDONESIAN) | 50 |
| ANNEXE 3 A - CASE STUDY KEY FINDINGS KABUPATEN BANTAENG (ENGLISH)..... | 51 |
| B - CASE STUDY KEY FINDINGS KABUPATEN BANTAENG (INDONESIAN). 51 | |
| ANNEXE 4: A - CASE STUDY KEY FINDINGS KOTA BOGOR (ENGLISH) | 52 |
| B - CASE STUDY KEY FINDINGS KOTA BOGOR (INDONESIAN) | 52 |

LIST OF TABLES

| | |
|---|----|
| Table 1 - SANIMAS Program summary..... | 2 |
| Table 2 - Co-management approach to communal scale sanitation | 7 |
| Table 3 – Technical and non-technical activities beyond KSM/KPP capacity | 9 |
| Table 4 – Summary of facilitated workshop participants | 46 |
| Table 5: Example of tasks required for successful operation of local scale sanitation systems. | 47 |
| Table 6: Example of stakeholder roles included in the activity | 48 |

LIST OF FIGURES

| | |
|--|----|
| Figure 1 – Communal Scale systems built per year 2003-2016 (per program) | 3 |
| Figure 2 – Workshop in Bantaeng and Bogor | 6 |
| Figure 3- Life cycle cost elements and timing..... | 12 |
| Figure 4 – Growth of communal scale sanitation Kabupaten Bantaeng | 13 |
| Figure 5 – Institutional findings from monitoring October 2016 Kabupaten Bantaeng. | 17 |
| Figure 6 – Monthly user fees and proportion of operators paid | 19 |
| Figure 7 – System issues and damages in Kabupaten Bantaeng (AKSANSI monitoring 2016) | 20 |
| Figure 8 - Major maintenance in KSM BORKAL in 2015 and Kelurahan Lembang 2016 | 20 |
| Figure 9 – Systems installed by type Kota Bogor | 25 |
| Figure 10 – Monthly user fees and existence of operator Kota Bogor | 29 |
| Figure 11: Typical KSM capacity to manage required ongoing service delivery tasks. | 43 |
| Figure 12 – Example of Activity and Outputs from this activity from Kabupaten Bantaeng. | 48 |
| Figure 13 – Scenario Activity in Kabupaten Bantaeng | 49 |

ACRONYMS

| | |
|-----------------|--|
| ABPD | Local government budget (Anggaran Pendapatan dan Belanja Daerah) |
| Akkopsi | Association of Cities and Districts Concerned about Sanitation (Aliansi Kabupaten/Kota Peduli Sanitasi) |
| AKSANSI | Association of Community Based Sanitation Organisations Indonesia |
| APBN | National Government budget (Anggaran Pendapatan dan Belanja Nasional) |
| Bappeda | Local Government Development Planning Agency (Badan Perencanaan Pembangunan Daerah) |
| Bappenas | National Development Planning Agency (Badan Perencanaan Pembangunan Nasional) |
| BPLHD | Badan Pengelolaan Lingkungan Hidup (Environment Agency) |
| BPS | Sanitation White Book describing the sanitary characteristics and conditions of a City/Regency (Buku Putih Sanitasi) |
| Bupati | Regent (head of regency/kabupaten) |
| CBO | Community-Based Organisation |
| Cipta Karya | Directorate General of Human Settlements at Ministry of Public Works |
| DAK | Special allocation fund (Dana Alokasi Khusus) |
| DAU | General Allocation Fund (Dana Alokasi Umum) |
| DFAT | Department of Foreign Affairs and Trade |
| Dinas PU/ PU | Local Government Department of Public Works (Dinas Pekerjaan Umum) |
| Dinkes | Health Agency at LG level (Dinas Kesehatan) |
| DPRD | Local Legislative/Parliament (Dewan Perwakilan Rakyat Daerah) |
| FGD | Focus Group Discussion |
| Gol | Government of Indonesia |
| IDB | Islamic Development Bank |
| IPAL | Wastewater Treatment Plant (Instalasi Pengelolaan Air Limbah) |
| Kabupaten | Regency |
| Kelurahan | Community (within a city) |
| Kota | City |
| KPP | Community user group (Kelompok Pemanfaat dan Pemelihara) |
| KSM | Community based organization (Kelompok Swadaya Masyarakat) |
| LG | Local government at city/regency level (kota/kabupaten level) |
| MCK | Public Washing & Sanitation Facilities (Mandi, Cuci, Kakus) |
| MCK++ | MCK with wastewater treatment (and possibly biogas plant) |
| MoHA | Ministry of Home Affairs |
| MoF | Ministry of Finance |
| MPS/MPSS | Sanitation program memorandum for implementation (Memorandum Program Sektor Sanitasi) |
| NAWASIS | National Water and Sanitation Information System |
| NGO | Non-Government Organisation |
| O&M | Operation & Maintenance |

| | |
|----------|---|
| ODF | Open Defecation-Free |
| PAD | Local Government Own-Source Revenues (Pendapatan Asli Daerah) |
| Pamsimas | Community based water supply and sanitation program by GoI and World Bank for rural and periurban services to the underserved |
| PD-PAL | Local Government Wastewater Management Enterprise (Perusahaan Daerah Pengelolaan Air Limbah) |
| PDAM | Local Government Drinking Water Enterprise (Perusahaan Daerah Air Minum) |
| Pemda | Local Government (Pemerintah Daerah) |
| Pempres | Presidential decree |
| Perda | Local Government Regulation/Decree (Peraturan Daerah) |
| PMD | Village and Community Empowerment (Pemberdayaan Masyarakat Desa) |
| Pokja | Working Group (Kelompok Kerja) |
| PPSP | Accelerated Development of Urban Sanitation (Percepatan Pembangunan Sanitasi Perkotaan) |
| PU | Ministry of Public Works (Menteri Pekerjaan Umum) |
| RPJMN | National Medium Term Development Plan (Rencana Pembangunan Jangka Menengah Nasional) |
| RPJMD | Local Government Medium-Term Development Plan (Rencana Pembangunan Jangka Menengah Daerah) |
| SAIG | Australia-Indonesia Infrastructure Grants for Municipal Sanitation Programme |
| Sanimas | Community-Based Sanitation (Sanitasi Berbasis Masyarakat) |
| Sekda | Regional Secretary (Sekretaris Daerah) |
| SKPD | Local Government Work Unit (Satuan Kerja Perangkat Daerah) |
| SLBM | Community based environmental sanitation (Sanitasi Lingkungan Berbasis Masyarakat) |
| SSK | City Sanitation Strategy (Strategi Sanitasi Kota/Kabupaten) |
| STBM | Community-Based Total Sanitation (Sanitasi Total Berbasis Masyarakat) |
| USRI | Urban Sanitation and Rural Infrastructure Support program |
| UPTD | Local Government Technical Implementation Unit (Unit Pelaksana Teknis Daerah) |
| Walikota | Mayor (head of city/kota) |

EXECUTIVE SUMMARY

About this research

This project investigated local government roles and responsibilities for communal scale sanitation in Indonesia, with a focus on how to improve sustainability. The project was undertaken in response to a request from Bappenas, in a follow-up to previous research led by the Institute for Sustainable Futures at the University of Technology Sydney (ISF-UTS) during 2013-2016.

The research focused on the national and local levels. At the national level, a review was undertaken of the program guidelines for SANIMAS (communal scale sanitation) including engagement with the Ministry of Public Works. Guidance was also developed to clarify how regional budgets may be used to financially support communal scale systems involving engagement with the Ministry of Home Affairs, the Development Finance Controller (BPKP) and other national stakeholders (documented in Part 2 of the report). At the local level two case study cities (Kota Bogor and Kabupaten Bantaeng) which are progressive in their support to communal scale sanitation were examined. This involved participatory workshops with government and community (45 participants in total) and follow-up interviews.

The project was undertaken from August to December 2016 as a collaboration between ISF-UTS, the Centre for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor (CRPG) and Asosiasi KSM Sanitasi Seluruh Indonesia (AKSANSI), with Bappenas as the Government of Indonesia partner.

Key points in this report

- Communal scale systems would be more sustainable if they were co-managed between communities and local government (rather than sole management by communities), with local government taking on four proposed minimum responsibilities.
- Two case studies (Kabupaten Bantaeng and Kota Bogor) demonstrate that these proposed minimum responsibilities were appropriate, acceptable and feasible for local governments
- Local government should finance major costs (such as rehabilitation, expansion and retrofitting), and community (users) should continue to finance daily operational costs within their capacity.
- Local government finance of major costs is easier when local government own the asset. Therefore, where possible, the implementation approach for communal scale systems should ensure the asset is recorded on the local government asset register. This is best done when the budget allocation is through *belanja modal* (capital expenditure), which is currently an option for DAK (commonly used in case study Kabupaten Bantaeng but not in Kota Bogor). However, it is not currently possible for SANIMAS Regular, which is funded through *belanja barang* (goods and services expenditure) by the Provincial PU Satker. For existing systems, an assessment of current asset status is needed and assets could be handed back to government, with the community remaining responsible for managing it.
- Finally, greater local government involvement in the planning and implementation of SANIMAS Regular communal scale systems is recommended, since local governments have the legal mandate to provide ongoing services through this infrastructure.

Key background and context

- More than 25,000 communal scale systems have been built to date (by end 2015) with a projected spending of IDR 1.93 trillion (US\$ 145 million) in 2016 on approximately 6,000 new systems. This is aligned with the goal for 7.5% of the population to be served by such systems in the National Medium Term Development Plan (RPJMN).
- Local government has a legal mandate to provide access to sanitation as a “basic, mandatory and concurrent affair”, with minimum service standards currently under development. SANIMAS systems, to date, have been funded under a model that promotes community responsibility for ongoing service delivery. A community group is formed to implement each system (KSM) and another group to operate and maintain it (KPP).

- Communal scale systems have evolved since the first systems were built in 2000, from an original focus on communal toilets and community empowerment, to small-scale simplified sewerage systems (some also include communal toilets), which are more complex to operate and maintain.
- Current institutional arrangements (prescribing sole community responsibility) for ongoing service delivery have been found to be unsustainable, particularly financially. Previous research by ISF-UTS and the World Bank have demonstrated that many responsibilities allocated to communities are beyond their capacity. Similar systems implemented through Indll's SAIIG program are only slightly larger (serving 200 households rather than 50 households) and are fully managed institutionally by local government.
- This research proposed the following co-management arrangements, with responsibility divided between local governments and communities, with communities responsible for day-to-day management and local government provides ongoing institutional, technical and financial support.

Proposed co-management approach

| Community operation | Local government support |
|--|--|
| Within KSM/KPP capacity: <ul style="list-style-type: none"> - Day-to-day operation and maintenance including regular cleaning, removing rubbish, unblocking pipes and conducting minor repairs - Collecting user fees and funding regular costs (e.g. pay operator, electricity, minor repairs) - Request support | Proposed minimum responsibilities: <ol style="list-style-type: none"> 1. Monitor and maintain records and plan corrective action. 2. Provide technical and social support to KSM/KPP. 3. Formalise process of fee setting and collection 4. Fund major costs (rehabilitation, extension retrofitting). |

Findings at local level

- **Kabupaten Bantaeng** in South Sulawesi Province (population approximately 180,000) had 22 communal scale systems in 2016. This city demonstrated well how the minimum local government responsibilities can be taken up in a co-management arrangement with community:
 - Local leadership through the Sekda, Heads of Bappeda and PU demonstrated strong commitment to providing sanitation services as basic, public services. The majority of assets were reported to be on the local government asset register, which facilitated the funding of large costs such as rehabilitation and extension. Local leadership also demonstrated commitment to fulfilling the other three minimum responsibilities. Based on local regulations (Decree 2015 UPTD), the UPTD-PAL has an allocated position to support and strengthen KSM/KPP, however UPTD-PAL may need increased human resource capacity to provide adequate institutional and technical support.
 - AKSANSI and UPTD-PAL undertook monitoring of the 22 systems in October 2016, revealing that four systems had major damage and required repairs, that most systems were underutilised (particularly since blackwater typically was not connected) and only two of 22 locations collected fees, with only one operator being paid. Kabupaten Bantaeng have therefore started to engage urban community (*kelurahan*) and local health clinics (*Puskesmas*) to raise community awareness, and have committed to funding four paid operator roles as an interim measure whilst efforts are made to improve the authority for, and formalisation of, fee collection. They have committed IDR 50m in 2015, IDR 75m in 2016, and requested IDR 90m for 2017, to supporting rehabilitation requirements and additional connections.
 - Key enablers for Kabupaten Bantaeng to take up the proposed responsibilities included committed leadership with the vision to address sanitation and a willingness to take strong institutional responsibility for communal scale systems. Key constraints included the limited human resource capacity of UPTD, the low local budget allocated to sanitation and a need for skilled support to conduct further monitoring.
- **Kota Bogor** in West Java (population approximately 1 million) had 52 communal scale systems as of 2015, with 40 planned for 2016 and another 83 for 2017. With more communal scale systems than most other cities, Kota Bogor is consciously increasing local government support in a co-management approach:
 - There are a number of strong actors supporting communal scale sanitation, with Wasbangkim currently responsible, UPTD previously involved, FKS supporting implementation and the local AKSANSI branch supporting the operation phase. A high capacity and active Pokja Sanitasi has

helped support the set-up of a strong institutional foundation. This has included the development of a wastewater Perda, which includes some reference to communal scale sanitation. However, this did not clarify the role that local government is already playing and could play in relation co-managing communal scale systems.

- Kota Bogor have supported major improvements including a budget of IDR 500m in 2015 and IDR 1.5bn in 2016 for system repair, expansion and awareness raising. Wasbangkim commissioned a technical feasibility study of 47 systems while AKSANSI has conducted preliminary monitoring of 41 systems. Both studies identified a number of technical issues affecting performance. One of these issues is that only one system had been desludged and access for desludging is difficult. The AKSANSI monitoring also included institutional and financial aspects and found that only 44% had set a user fee and only 32% KSM/KPPs pay the operator a salary.
- Key enablers for Kota Bogor to take up the proposed responsibilities include the sheer scale of communal scale systems (there will be almost 100 by the end of 2016) and the technical skills and knowledge of the various stakeholders. Key constraints include the changing institutional responsibility for communal scale systems, the challenging terrain (making desludging difficult), and that the local government is less willing to take on asset ownership which would simplify financially supporting major ongoing costs.

Findings of SANIMAS Guidelines review

- The review criteria covered three elements: (i) allocation of responsibilities to community and to local government (ii) post-construction financing and (iii) asset ownership and KSM/KPP legal status. These represent areas where decisions made in the implementation phase directly affect local government and community roles in service delivery.
- The review focused on Sanimas DAK (70% of systems built in 2015) and Sanimas Regular (10% of systems built in 2015). The specific Guidelines reviewed were:
 - Technical Guidelines SANIMAS Regular and Appendix, August 2016.
 - Implementation Guidelines for Special Allocation Fund (DAK) Infrastructure Sector Sub Sector Sanitation, August 2016.
- A review of the *allocation of responsibilities* in the Guidelines revealed that success and sustainability were described as being dependent only on community roles rather than on both community and local government. The Guidelines allocated responsibilities to community that, based on previous research, are beyond their capacity while local government roles were not fully clarified. The focus on building capacity of the community organisation was stronger for the Regular program compared with DAK program.
- Review of *post-construction financing* showed that that the Guidelines need to provide clearer guidance on how to calculate a cost-recovery tariff that fits with the prescribed community role, and provide consistent advice in Regular and DAK Guidelines (which differ from one another). The expectations of communities to collect and manage fees described in the Guidelines also may exceed community capacity, particularly in terms of book-keeping, reporting and seeking additional financial sources. Lastly, whilst the Regular Guidelines mention the local government role in financing large costs such as rehabilitation and replication, the DAK Guidelines do not. In general it is not made clear if this local government role is obligatory or optional, nor which budget line items can legitimately be used or how the initial budget allocation can affect this (discussed in detail in the accompanying report, Part 2).
- A review of *asset ownership and legal status* revealed that the Guidelines have significant omissions with regard to describing the key elements that affect asset ownership – namely land ownership, land transfer and KSM/KPP legal status. Handover processes described in both Regular and DAK Guidelines are vague, and only include the handover from KSM to KPP and are unlikely to be legally binding.
- The division of community-based organisations into two different organisations (KSM and KPP) was found to cause significant confusion. One organisation is more appropriate for continuity of land or asset ownership as well as responsibility, knowledge and skills.
- Finally, and most importantly, the Guidelines do not make clear if or how local governments can register assets on their asset registers. It is important to ensure this is an option, since the expenditure analysis (described in accompanying report, Part 2) makes clear that for local government to easily fund large costs (rehabilitation, extension and retrofitting) they must own the asset.

Recommendations for SANIMAS Guidelines

The following points summarise key recommendations for consideration by the Ministry of Public Works in review and revisions to the Guidelines in 2017:

- Revise the Guidelines to recognise a co-management approach that includes allocation of activities to community that are within their capacity, and allocation of remaining activities as obligatory local government responsibilities.
- Clarify which post-construction expenses will be supported by local government and which by KSM/KPP. Include information about appropriate budget line items for local government support with ongoing costs (provided in Part 2, Annex 2).
- For DAK Guidelines, provide an adequate explanation of the implications of local governments' choice of expenditure account for implementation on the asset ownership and future ability to fund systems. Review and revise the handover process to include legal aspects, and provide options for local government to retain the asset on their register, only handing over management to community to increase accessibility to government support.
- For Regular Guidelines review the choice to use goods and services expenditure (*belanja barang*), and consider the benefits and any constraints to instead use capital expenditure (*belanja modal*). Review and revise the handover process, as detailed above for DAK, but also clarify the role of local government, whose role in Regular programs is unclear, and provide option to retain the asset on their register.
- Confirm that the need for separate entities for KSM and KPP outweighs the added legal complexity created by setting up two entities.
- Increase the quality of program implementation with a greater focus on technical facilitation, construction oversight and KSM/KPP capacity building, particularly for the DAK program.
- Given the importance of asset ownership, the ownership status of all existing communal scale sanitation assets should be assessed for both Regular (by PU) and DAK (by relevant local government) programs. For existing assets not owned by government, the Guidelines could provide details of how assets can be handed back and placed on an asset register.

Conclusions and looking forward

The case studies documented in this report provide local governments with examples of how the proposed four minimum local government responsibilities have been enacted in practice. An initial starting point for other local governments will be clarification of the asset ownership status of their communal scale sanitation systems, followed by monitoring of the technical, institutional and financial status. In consultation with KSM/KPPs, local government should consider a co-management approach with local government adopting the proposed minimum responsibilities, and if appropriate, take back responsibility of assets. For new systems, the local government should consider whether using capital expenditure and retaining ownership of the asset is feasible to best enable ongoing technical and financial support and integrate the systems as part of their citywide sanitation services.

At the national level several actions are imperative to provide greater space and options for local governments to fulfil their legal mandate for sanitation service provision. The proposed updates to the SANIMAS Guidelines would provide increased clarity about the local government role, and explain the implications of implementation expenditure accounts for asset ownership and access to post-construction funding. A review of whether the implementation should use capital expenditure (particularly for SANIMAS Regular) would permit assets to be placed on asset registers and would facilitate the funding of large costs (rehabilitation, extension and retrofitting). Inclusion of the Guideline for APBD budgeting for post-construction costs in the SANIMAS Guidelines would increase clarity for local governments on how they can financially support improved sustainability of communal scale systems.

Other measures expected to improve sustainability include improving the quality of technical facilitation and oversight during implementation processes to ensure that the KSM/KPP are adequately equipped to manage operation and finances. Develop and disseminate a model Perda and local regulations that include the proposed four local government responsibilities for community scale systems as obligatory. Finally, the financing of new systems could be contingent on local governments demonstrating that they have invested in post-construction support for their existing communal scale sanitation systems.

RINGKASAN EKSEKUTIF

Tentang penelitian ini

Proyek ini meneliti peran dan tanggung jawab pemerintah daerah dalam sanitasi skala komunal di Indonesia dengan fokus pada cara untuk meningkatkan keberlanjutan. Proyek ini dilakukan menanggapi permintaan dari Bappenas sebagai tindak lanjut penelitian sebelumnya yang dipimpin oleh *Institute for Sustainable Futures* di *University of Technology Sydney* (ISF-UTS) selama tahun 2013-2016.

Penelitian ini fokus pada tingkat nasional dan lokal. Pada tingkat nasional, tinjauan dilakukan terhadap panduan SANIMAS (sanitasi skala komunal), termasuk pembicaraan dengan Kementerian Keuangan. Panduan juga dikembangkan untuk mengklarifikasi bagaimana anggaran daerah dapat dimanfaatkan untuk membeir dukungan keuangan bagi sistem skala komunal yang juga melibatkan Kementerian Dalam Negeri, BPKP, dan pemangku kepentingan nasional lainnya (didokumentasi di Bagian 2 dari laporan ini). Pada tingkat lokal, studi ini mengkaji dua kota/kabupaten studi kasus (Kota Bogor dan Kabupaten Bantaeng) yang progreif dalam dukungannya bagi sanitasi skala komunal. Kegiatannya antara lain lokakarya dengan pemerintah dan masyarakat (total 45 peserta: 18 perempuan, 27 laki-laki) dan wawancara tindak lanjut.

Proyek ini dijalankan antara Agustus sampai Desember 2016 sebagai kerja sama antara UTS-ISF, Centre for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor (CRPG) dan Asosiasi KSM Sanitasi Seluruh Indonesia (AKSANSI), dengan Bappenas sebagai mitra Pemerintah Indonesia.

Poin-poin utama dalam laporan ini

- Sistem skala komunal akan lebih berkelanjutan jika dikelola bersama antara masyarakat dan pemerintah daerah (daripada hanya oleh masyarakat), di mana pemerintah daerah mengambil empat tanggung jawab minimum.
- Dua studi kasus (Kabupaten Bantaeng dan Kota Bogor) menunjukkan bahwa tanggung jawab minimum yang diusulkan ini sudah tepat, dapat diterima dan layak untuk pemerintah daerah.
- Pembiayaan perbaikan besar oleh pemerintah daerah akan lebih mudah apabila pemerintah memiliki aset tersebut. Oleh karena itu, di mana mungkin, pendekatan implementasi untuk sistem skala komunal harus memastikan bahwa aset tersebut dicatat di daftar aset pemerintah. Hal ini paling baik dilakukan ketika alokasi anggaran dilakukan melalui belanja modal, yang pada saat ini merupakan opsi untuk DAK (biasa digunakan dalam studi kasus di Kabupaten Bantaeng, namun tidak di Kota Bogor). Namun, hal tersebut pada saat ini tidak dimungkinkan untuk SANIMAS Reguler yang didanai melalui belanja barang oleh Satker PU Provinsi. Untuk sistem-sistem yang ada, perlu dilakukan kajian atas status aset saat ini dan aset-aset tersebut dapat diserahkan kembali kepada pemerintah, di mana masyarakat tetap akan bertanggung jawab atas pengelolaannya.
- Terakhir, untuk meningkatkan keterlibatan pemerintah daerah dalam perencanaan dan implementasi SANIMAS Reguler, sistem sanitasi skala komunal direkomendasikan, karena pemerintah daerah memiliki kewajiban hukum untuk menyelenggarakan pelayanan berkesinambungan melalui infrastruktur ini.

Latar belakang dan konteks utama

- Sudah lebih dari 25.000 sistem skala komunal dibangun sampai saat ini (akhir tahun 2015) dengan proyeksi pengeluaran sebesar Rp 1,93 triliun (US\$ 145 juta) pada tahun 2016 untuk sekitar 6.000 sistem baru. Hal ini sejalan dengan tujuan untuk melayani 7,5% penduduk dengan sistem seperti ini dalam Rencana Pembangunan Jangka Menengah Nasional (RPJMN)
- Pemerintah daerah memiliki mandat hukum untuk menyediakan akses pada sanitasi sebagai “urusan dasar, wajib dan konkuren”, dengan standar pelayanan minimum yang saat ini sedang dikembangkan. Sistem SANIMAS, sejauh ini, telah didanai dengan model yang mempromosikan tanggung jawab masyarakat untuk penyelenggaraan layanan berjalan. Kelompok swadaya masyarakat dibentuk untuk membangun setiap sistemnya dan kelompok lain untuk mengoperasikan dan memeliharanya (KPP).
- Sistem skala komunal telah mengalami perkembangan sejak pertama kali dibangun tahun 2000, dari fokus awal pada jamban komunal dan pemberdayaan masyarakat, menjadi sistem pengolahan air

- limbah skala kecil yang (sebagian termasuk juga MCK), yang lebih kompleks untuk dioperasikan dan dipelihara.
- Pengaturan kelembagaan saat ini (memberikan tanggung jawab tunggal kepada masyarakat) untuk penyelenggaraan layanan berjalan ditemukan tidak berkelanjutan, khususnya secara keuangan. Penelitian sebelumnya oleh ISF-UTS dan Bank Dunia menunjukkan bahwa banyak tanggung jawab yang dialokasikan kepada masyarakat berada di luar kapasitas mereka. Sistem serupa yang dilaksanakan melalui program SAIIG IndII hanya sedikit lebih besar (melayani 200 rumah tangga dibandingkan 50 rumah tangga) dan sepenuhnya dikelola secara kelembagaan oleh pemerintah daerah.
 - Penelitian ini mengusulkan pengaturan pengelolaan bersama (*co-management*) antara pemerintah daerah dan masyarakat, sehingga masyarakat memiliki tanggung jawab atas pengelolaan sehari-hari dan pemerintah daerah memberikan dukungan kelembagaan, teknis dan keuangan berjalan.

| Pendekatan pengelolaan bersama (<i>co-management</i>) yang diusulkan | |
|---|--|
| Pengoperasian oleh masyarakat | Dukungan pemerintah daerah |
| <p>Dalam kapasitas KSM/KPP:</p> <ul style="list-style-type: none"> - Pengoperasian dan pemeliharaan sehari-hari termasuk pembersihan rutin, mengangkat sampah, membersihkan sumbatan pipa dan melakukan perbaikan kecil - Memungut iuran pengguna dan mendanai biaya rutin (misalnya, mengupah operator, membayar tagihan listrik, perbaikan kecil) - Meminta dukungan | <p>Tanggung jawab minimum yang diusulkan:</p> <ol style="list-style-type: none"> 1. Memantau dan mengelola data dan merencanakan tindakan korektif. 2. Menyediakan dukungan teknis dan sosial kepada KSM/KPP. 3. Formalisasi proses penetapan dan pemungutan iuran. 4. Mendanai biaya besar (rehabilitasi, penambahan SR, retrofit). |

Temuan pada tingkat lokal

- **Kabupaten Bantaeng** di Provinsi Sulawesi Selatan (populasi sekitar 180.000 jiwa) memiliki 22 sistem skala komunal pada tahun 2016. Kota ini adalah contoh baik bagaimana tanggung jawab minimum pemerintah daerah dapat diselenggarakan dalam pengaturan pengelolaan bersama dengan masyarakat:
 - Kepemimpinan lokal melalui Sekda, Kepala Bappeda dan Dinas PU menunjukkan komitmen yang kuat untuk memberikan layanan sanitasi sebagai layanan dasar publik. Sebagian besar aset dilaporkan ada dalam daftar aset pemerintah daerah yang memfasilitasi pendanaan biaya besar seperti rehabilitasi dan ekstensi. Kepemimpinan lokal juga menunjukkan komitmen untuk memenuhi tiga usulan tanggung jawab minimum lainnya. Berdasarkan peraturan daerah (Perda 2015 UPTD), UPTD-PAL sudah mengalokasikan posisi untuk mendukung dan memperkuat KSM/KPP, namun UPTD-PAL mungkin memerlukan peningkatan kapasitas sumber daya manusia untuk memberikan dukungan kelembagaan dan teknis yang memadai
 - AKSANSI dan UPTD-PAL melakukan pemantauan terhadap 22 sistem pada bulan Oktober 2016. Hasilnya, ditemukan bahwa empat sistem memiliki kerusakan besar dan memerlukan perbaikan, sebagian besar sistem kurang dimanfaatkan (terutama karena *blackwater* biasanya tidak tersambung) dan hanya dua dari 22 lokasi yang mengumpulkan iuran, dengan hanya satu operator yang dibayar. Oleh karena itu, Kabupaten Bantaeng sudah mulai melibatkan masyarakat perkotaan (kelurahan) dan Puskesmas untuk meningkatkan kesadaran masyarakat, dan telah berkomitmen untuk mendanai empat peran Operator yang dibayar sebagai langkah sementara selagi diupayakan untuk meningkatkan kewenangan dan formalisasi pemungutan iuran. Kabupaten Bantaeng telah mengalokasikan Rp 50 juta pada tahun 2015, Rp 75 juta pada tahun 2016, dan sedang mengajukan Rp 90 juta untuk tahun 2017, untuk mendukung kebutuhan rehabilitasi dan penambahan sambungan rumah.
 - Salah satu hal utama yang memungkinkan Kabupaten Bantaeng dapat mengambil tanggung jawab yang diusulkan adalah kepemimpinan yang berkomitmen dengan visi untuk menangani persoalan sanitasi dan kemauan untuk mengambil tanggung jawab kelembagaan yang kuat untuk sistem skala komunal. Kendala utama mencakup kapasitas sumber daya manusia yang terbatas dari UPTD, anggaran daerah yang dialokasikan untuk sanitasi rendah dan kebutuhan akan dukungan terampil untuk melakukan pemantauan lebih lanjut.

- Kota Bogor di Jawa Barat (populasi sekitar 1 juta jiwa) memiliki 52 sistem skala komunal pada tahun 2015, di mana sebanyak 40 direncanakan untuk tahun 2016 dan 83 lainnya untuk tahun 2017. Dengan jumlah sistem skala komunal yang lebih banyak daripada kebanyakan kota-kota lain, Kota Bogor secara sadar meningkatkan dukungan pemerintah daerah dalam pendekatan pengelolaan bersama:
 - Bogor memiliki sejumlah pemeran kuat yang selama ini mendukung sanitasi skala komunal, antara lain Wasbangkim yang bertanggung jawab saat ini, UPTD yang terlibat sebelumnya, FKS yang mendukung pelaksanaan dan cabang AKSANSI lokal yang mendukung tahap operasional. Pokja Sanitasi yang berkapasitas tinggi dan aktif telah membantu mendukung pembentukan dasar kelembagaan yang kuat. Ini sudah termasuk pengembangan Perda air limbah yang berisi beberapa ketentuan mengenai sanitasi skala komunal. Namun, ini belum memperjelas peran yang sudah dilakukan dan dapat dilakukan oleh pemerintah daerah terkait pengelolaan bersama sistem skala komunal.
 - Kota Bogor telah mendukung perbaikan besar termasuk anggaran sebesar Rp 500 juta pada tahun 2015 dan Rp 1,5 miliar pada tahun 2016 untuk perbaikan sistem, ekspansi dan peningkatan kesadaran. Wasbangkim menugaskan sebuah studi kelayakan teknis terhadap 47 sistem, sementara AKSANSI telah melakukan *pre-monitoring* terhadap 41 sistem. Kedua studi mengidentifikasi sejumlah masalah teknis yang memengaruhi kinerja. Salah satu permasalahannya adalah bahwa baru pada satu sistem sudah dilakukan penyedotan dan akses untuk melakukan penyedotan sulit. Pemantauan AKSANSI juga mencakup aspek kelembagaan dan keuangan dan ditemukan bahwa hanya 44% LSM/KPP yang sudah menetapkan iuran pengguna dan hanya 32% dari KSM/KPP yang menggaji operator.
 - Hal-hal utama yang memungkinkan Kota Bogor untuk mengambil tanggung jawab yang diusulkan meliputi besarnya skala rencana untuk sistem skala komunal (akan mencapai hampir 100 pada akhir tahun 2016) dan keterampilan dan pengetahuan teknis berbagai pemangku kepentingannya. Kendala utama meliputi tanggung jawab kelembagaan yang berubah untuk sistem skala komunal, medan yang berat (yang membuat penyedotan tinja sulit), dan bahwa pemerintah daerah kurang bersedia untuk mengambil kepemilikan aset yang akan menyederhanakan pemberian dukungan keuangan atas biaya besar berjalan.

Temuan tinjauan Panduan SANIMAS

- Kriteria tinjauan meliputi tiga unsur: (i) alokasi tanggung jawab kepada masyarakat dan pemerintah daerah (ii) pembiayaan pasca-konstruksi dan (iii) kepemilikan aset dan status hukum KSM/KPP. Ini mewakili daerah di mana keputusan yang dibuat selama tahap pelaksanaan secara langsung memengaruhi peran pemerintah daerah dan masyarakat dalam penyelenggaraan layanan.
- Tinjauan fokus pada Sanimas DAK (70% dari sistem yang dibangun pada tahun 2015) dan Sanimas Reguler (10% dari sistem yang dibangun pada tahun 2015). Panduan spesifik yang ditinjau mencakup:
 - Petunjuk Teknis SANIMAS Regular dan Lampiran bulan Agustus 2016.
 - Petunjuk Pelaksanaan Dana Alokasi Khusus (DAK) Bidang Infrastruktur Sub Bidang Sanitasi bulan Agustus 2016.
- Sebuah kajian *alokasi tanggung jawab* dalam Panduan tersebut mengungkapkan bahwa keberhasilan dan keberlanjutan digambarkan bergantung hanya pada peran masyarakat dan bukan pada masyarakat dan pemerintah daerah. Panduan tersebut mengalokasikan tanggung jawab kepada masyarakat bahwa, berdasarkan penelitian sebelumnya, berada di luar kapasitas mereka, sementara peran pemerintah daerah tidak sepenuhnya diklarifikasi. Fokus pada membangun kapasitas kelembagaan masyarakat lebih kuat untuk program Reguler dibandingkan program DAK.
- Kajian *pembiayaan pasca konstruksi* menunjukkan bahwa Panduan perlu memberikan arahan yang lebih jelas tentang cara menghitung tarif pemulihan biaya yang cocok dengan peran masyarakat yang sudah ditentukan, dan memberikan saran konsisten dalam Panduan Reguler dan DAK (yang berbeda satu sama lainnya). Ekspektasi bagi masyarakat untuk memungut dan mengelola iuran sebagaimana dijelaskan dalam Panduan tentang pemungutan dan pengelolaan iuran juga bisa melebihi kapasitas masyarakat, khususnya dalam hal pembukuan, pelaporan dan pencarian

sumber-sumber keuangan tambahan. Terakhir, walaupun dalam Pedoman Reguler disebutkan peran pemerintah daerah dalam pembiayaan biaya besar seperti rehabilitasi dan replikasi, Pedoman DAK secara umum tidak memperjelas apakah peran pemerintah daerah ini bersifat wajib atau pilihan, ataupun mata anggaran mana yang dapat digunakan secara sah atau bagaimana alokasi anggaran awal dapat memengaruhi ini (dibahas secara rinci dalam laporan yang menyertainya, Bagian 2).

- Kajian *kepemilikan aset dan status hukum* mengungkapkan bahwa Panduan memiliki kekurangan signifikan dalam menjelaskan elemen kunci yang memengaruhi kepemilikan aset – yakni kepemilikan lahan, transfer tanah dan status hukum KSM/KPP. Proses serah terima yang dicantumkan dalam Panduan Reguler dan DAK tidak jelas, dan hanya mencakup serah terima dari KSM ke KPP dan tampaknya tidak akan mengikat secara hukum.
- Perbedaan organisasi berbasis masyarakat menjadi dua organisasi berbeda (KSM dan KPP) dianggap telah menyebabkan kebingungan yang signifikan. Adanya satu organisasi akan lebih baik untuk kesinambungan kepemilikan lahan dan aset, serta untuk kesinambungan tanggung jawab, pengetahuan dan keterampilan.
- Terakhir, dan yang paling penting, Panduan tidak menjelaskan apakah, atau bagaimana, pemerintah daerah dapat mencatat aset dalam daftar aset mereka. Hal ini penting untuk memastikan bahwa ini merupakan sebuah pilihan, karena analisis pengeluaran (dijelaskan dalam laporan yang menyertainya, Bagian 2) menjelaskan bahwa agar pemerintah daerah dapat dengan mudah mendanai biaya besar (rehabilitasi, penambahan sambungan dan retrofit) asetnya harus milik mereka.

Rekomendasi untuk Pedoman SANIMAS

Hal-hal berikut ini merangkum rekomendasi utama untuk dipertimbangkan oleh Kementerian Pekerjaan Umum dalam kajian dan revisi Panduan pada tahun 2017:

- Merevisi Panduan untuk mengakui pendekatan pengelolaan bersama yang mencakup alokasi kegiatan bagi masyarakat yang berada dalam kapasitas mereka, dan alokasi kegiatan selebihnya sebagai tanggung jawab wajib pemerintah daerah.
- Mengklarifikasi kebutuhan pengeluaran pasca konstruksi mana yang akan didukung oleh pemerintah daerah dan yang mana oleh KSM/KPP, termasuk informasi tentang mata anggaran yang sesuai untuk dukungan pemerintah daerah dengan biaya berjalan (tersedia di Bagian 2, Lampiran 2).
- Untuk Panduan DAK, memberikan penjelasan yang memadai tentang implikasi dari pilihan akun pengeluaran pemerintah daerah untuk pelaksanaan atas kepemilikan aset dan kemampuan untuk mendanai sistem di masa depan. Meninjau dan merevisi proses serah terima agar mencakup aspek hukum, dan memberikan pilihan bagi pemerintah daerah untuk mempertahankan aset dalam daftar aset mereka, dan hanya menyerahkan pengelolannya kepada masyarakat untuk meningkatkan kemampuan untuk mengakses dukungan pemerintah.
- Untuk Pedoman Reguler, meninjau pilihan penggunaan belanja barang dan jasa, dan mempertimbangkan berbagai manfaat dan kendala untuk, sebaliknya, menggunakan belanja modal. Meninjau dan merevisi proses serah terima, seperti yang dijelaskan di atas untuk DAK, tetapi juga memperjelas peran pemerintah daerah, yang perannya dalam program Reguler tidak terlalu jelas, dan memberikan pilihan bagi pemerintah daerah untuk mempertahankan aset dalam daftar aset mereka.
- Mengkonfirmasi bahwa kebutuhan akan entitas terpisah untuk KSM dan KPP melebihi beban kompleksitas hukum tambahan dari dibentuknya dua badan tersebut.
- Meningkatkan kualitas implementasi program dengan fokus lebih besar pada fasilitasi teknis, pengawasan konstruksi dan penguatan kapasitas KSM/KPP, khususnya untuk program DAK.
- Mengingat pentingnya kepemilikan aset, status kepemilikan semua aset sanitasi skala komunal yang ada harus dinilai, baik untuk program Reguler (oleh PU) dan DAK (oleh pemerintah daerah terkait). Untuk aset yang sudah ada yang tidak dimiliki oleh pemerintah daerah, Panduan bisa menjelaskan bagaimana aset tersebut dapat diserahkan kembali kepada pemerintah dan dimasukkan ke dalam daftar aset.

Kesimpulan dan langkah ke depan

Studi kasus yang didokumentasikan dalam laporan ini memberikan contoh bagi pemerintah daerah bagaimana empat tanggung jawab minimum pemerintah daerah yang diusulkan telah diberlakukan dalam praktiknya. Sebuah titik awal bagi pemerintah daerah lainnya adalah klarifikasi status kepemilikan aset sistem sanitasi skala komunal mereka, diikuti dengan pemantauan status teknis, kelembagaan dan keuangan. Dengan konsultasi bersama KSM/KPP, pemerintah daerah perlu mempertimbangkan pendekatan *co-management*, di mana pemerintah daerah mengambil tanggung jawab minimum yang diusulkan, dan di mana memungkinkan, mengambil kembali tanggung jawab atas aset. Untuk sistem-sistem yang baru, pemerintah daerah perlu mempertimbangkan apakah menggunakan belanja modal dan mempertahankan kepemilikan atas aset layak dilakuan dan merupakan pilihan terbaik untuk dapat terus memberi dukungan teknis dan keuangan dan mengintegrasikan sistem sebagai bagian dari layanan sanitasi untuk keseluruhan kota.

Pada tingkat nasional beberapa tindakan diperlukan untuk memberikan ruang dan pilihan yang lebih besar bagi pemerintah daerah untuk memenuhi mandat hukum mereka atas penyediaan layanan sanitasi. Pembaruan yang diusulkan untuk Panduan SANIMAS akan memberikan kejelasan yang lebih baik tentang peran pemerintah daerah, dan menjelaskan implikasi dari rekening belanja implementasi untuk kepemilikan aset dan akses ke pendanaan pasca konstruksi. Tinjauan tentang apakah pelaksanaannya harus menggunakan belanja modal (terutama untuk SANIMAS Reguler) akan memungkinkan aset untuk dimasukkan dalam daftar aset dan akan memfasilitasi pendanaan biaya besar (rehabilitasi, penambahan sambungan, dan retrofit). Pencantuman Panduan untuk penganggaran APBD untuk biaya pasca konstruksi dalam Panduan akan memberikan kejelasan yang lebih baik bagi pemerintah daerah tentang bagaimana mereka dapat mendukung peningkatan keberlanjutan sistem skala komunal secara finansial.

Langkah-langkah lain yang diperkirakan akan meningkatkan keberlanjutan, termasuk meningkatkan kualitas fasilitasi teknis dan pengawasan selama proses implementasi untuk memastikan bahwa KSM/KPP telah dibekali kemampuan yang memadai untuk mengelola pengoperasian dan keuangan. Mengembangkan dan menyebarkan model Perda dan peraturan lokal yang mencakup empat tanggung jawab pemerintah daerah yang diusulkan untuk sanitasi skala komunal sebagai kewajiban. Terakhir, pembiayaan untuk sistem baru dapat dihubungkan dengan kesediaan pemerintah daerah menunjukkan bahwa mereka telah berinvestasi dalam dukungan pasca konstruksi untuk sistem sanitasi skala komunal mereka yang sudah ada.

CHAPTER 1: INTRODUCTION

This report details the first two of three research activities that were conducted by ISF-UTS with partners between August and December 2016. The third activity is detailed in the accompanying report, *“Part 2: Using Regional Budget (APBD) to support post-construction sustainability of communal sanitation”* led by the Centre for Regulation, Policy and Governance, University Ibn Khaldun Bogor (CRPG).

The three activities were:

- i. Provide recommendations for revisions to the PU SANIMAS guidelines based on research findings from the previous research project and this new project.
- ii. Pilot a collaborative process in two cities/towns (Kota Bogor and Kabupaten Bantaeng) to facilitate progress towards shared local government and community responsibilities for ongoing service provision.
- iii. Develop guidance for a national expenditure policy for local governments to clarify how they can support the operation of community scale systems with support from the CRPG.

This research aimed to understand what is required to operationalise active local government responsibility in a co-management approach, and how to update the national guidelines to support this aim. It built on the momentum, partnerships and increasing commitment amongst national stakeholders from previous three-year ISF-UTS Community Sanitation Governance research and specific request from Bappenas.¹

1.1 BACKGROUND COMMUNAL SCALE SANITATION IN INDONESIA

The Government of Indonesia (GoI) has made significant investments in communal scale sanitation (also known as SANIMAS) over the last 10 years with at least 20,000 systems built as part government and donor urban sanitation programs.² Based on current estimates, there are expected to be almost 30,000 systems by the end of 2017 (see Table 1). The medium-term development plan (RPJMN) targets 100% access to sanitation by 2019, of which communal scale systems are proposed to contribute 7.5%, the same as centralised sewerage systems.

Communal scale sanitation systems treat sewage locally, often with passive anaerobic treatment, serving multiple households through a small sewer network (IPAL Komunal) and/or a communal sanitation facility (MCK). They are intended to serve between 50 and 200 households and they are intended to be built by a community-based group, (Kelompok Swadaya Masyarakat, KSM) and managed and operated by another

¹ See www.communitysanitationgovernance.info for project outputs

² Mitchell, C, Ross, K, and Abeysuriya, K. 2016. An analysis of performance data for local scale wastewater services in Indonesia. Prepared by the Institute for Sustainable Futures, University of Technology Sydney. Data from PU and other sources. Previous research found 14000 until end 2014, and an additional 5864 systems are reported to have been built in 2015.

community-based group (Kelompok Pemanfaat dan Pemelihara, KPP).³ Slightly larger decentralised sewer systems serving 200–400 households are called area scale systems (skala kawasan) and are managed by the local government department responsible for sanitation.

Communal scale sanitation systems were funded through a number of programs with different manager and implementing agencies. The program funding the largest number of system is the Special Allocation Fund (Dana Alokasi Khusus, DAK) which funded 70% of the systems built to 2015 (see Table 1).

Table 1 - SANIMAS Program summary

| SANIMAS Program ⁴ | Built 2003 - 2015 | Systems | | Funding mechanism |
|--------------------------------|-------------------|--------------|--------------|--|
| | | Planned 2016 | Planned 2017 | |
| Regular | 1,859 | 260 | 121 | Managed by the Ministry of Public Works (PU) and funded through the national budget (APBN) through the Provincial Public Works representative (Satker) which funds community to implement. |
| DAK SLBM | 13,733 | 5,322 | 3,000 | Managed by the MOF and funded by the national special allocation fund to Local Government APBD who implement with a contractor or fund the community to implement. |
| Islamic Development Bank (IDB) | 535 | 341 | 499 | Managed by PU and funded by the Islamic Development Bank (IDB) loan from 2014-2018. |
| SABERMAS | 550 | 40 | 714 | Provincial government budget, to implement as per SANIMAS Regular. Data from West Java Province. |
| USRI | 2,795 | 0 | 0 | Managed by PU and funded by Asian Development Bank (ADB) loan; Program now finished |
| Pilot | 27 | 0 | 0 | Funded by DFAT and World Bank. No longer active |
| TOTAL | 19,499 | 5,963 | 4,334 | |

The number of communal scale sanitation systems is increasing as a result of the Gol's drive for 100% sanitation by 2019 (see Figure 1). The investment in these systems is

³ Community based organisation (Kelompok Swadaya Masyarakat, KSM) and Use and Maintenance Group (Kelompok Pemanfaat dan Pemelihara, KPP). Introduced in the 2016 SANIMAS guidelines, KSM is responsible for implementation and KPP is responsible for post-construction management. However, the separation is not undertaken everywhere, and not for already built systems. Therefore, in this report both KSM and KPP are used to refer to the community group responsible for the post-construction phase.

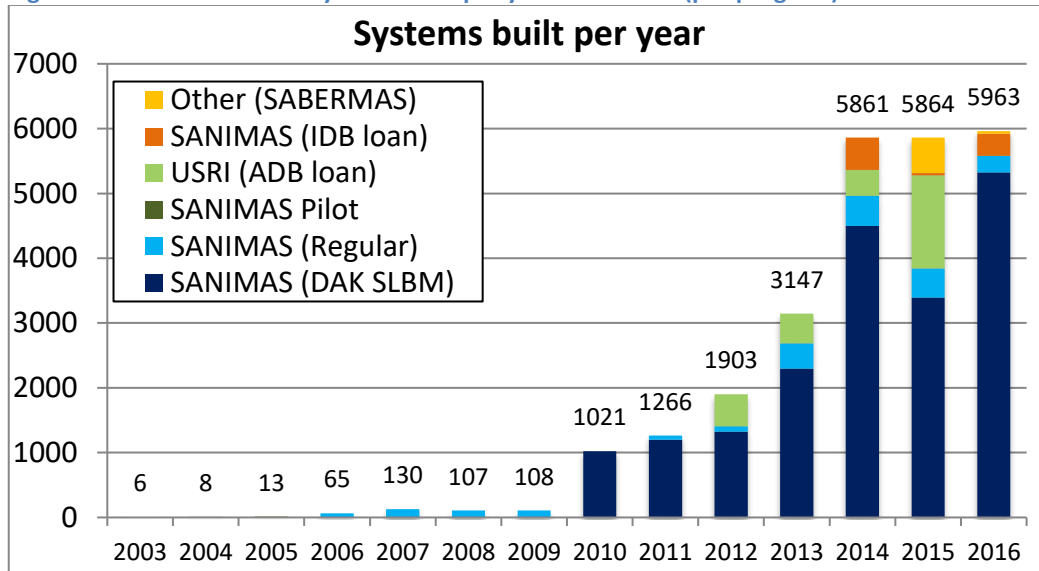
⁴ DAK SLBM - Special allocation fund (Dana Alokasi Khusus)Community based environmental sanitation (Sanitasi Lingkungan Berbasis Masyarakat)

SABERMAS – Provincial community based sanitation program

USRI – Urban Sanitation and Rural Infrastructure Support program

significant, with 1.85 trillion IDR invested in 2015, 1.93 trillion IDR proposed for 2016 and approximately 1.97 proposed for 2017.⁵

Figure 1 – Communal Scale systems built per year 2003-2016 (per program)⁶



1.2 RESEARCH HAS FOUND CHALLENGES TO SUSTAINABILITY

Research by the World Bank in 2013⁷ and ISF-UTS 2014-2016⁸ has identified a number of challenges that limit the sustainability of these systems:

- There was limited data on the status or performance of systems, with effluent quality testing only available for 2% of systems, and 80% of systems did not have a post-construction audit. While effluent data from the World Bank (2013) indicated acceptable performance, effluent quality appeared to be decreasing with increasing scale-up.
- Systems were not operating at capacity, on average utilising less than 50% of design. Some systems were not connected to blackwater (from toilet) as intended.
- Approximately 80% of systems had not been desludged.
- Many tasks allocated to KSM/KPPs were beyond their financial or technical capacity.
- Only 60% collected any fees, fees collected were insufficient to cover needs.
- Most KSM/KPPs were not legal entities and land ownership is typically not secure.

⁵ Sourced from data provided and interviews with PU staff October 2016.

⁶ Mitchell, C, Ross, K, and Abeysuriya, K. 2016. An analysis of performance data for local scale wastewater services in Indonesia. Prepared by the Institute for Sustainable Futures, University of Technology Sydney. Data post-2014 sourced from interviews and data provided by PU staff.

⁷ Eales, K., Siregar, R., Febriani, E., & Blakett, I. (2013). Review of community managed decentralized wastewater treatment systems in Indonesia. Final Report. World Bank Water and Sanitation Program.

⁸ Mitchell, C., Ross, K., Abeysuriya, K., Puspawardoyo, P., Wedahuditama, F. 2015, Effective governance for the successful long-term operation of community scale air limbah systems: Mid-term Observations Report. Prepared by Institute for Sustainable Futures, University of Technology Sydney.

The previous research concluded that while communal scale systems are a viable sanitation option in Indonesia, there are issues with sustainability that require attention. Recommendations from both the World Bank and the ISF-UTS research proposed greater local government responsibility to support the communities to effectively manage these systems in the long term.

Since the first SANIMAS program in 2003 there have been a number of changes both to the sanitation landscape in Indonesia and the focus of the communal scale systems. Findings from World Bank and ISF-UTS highlight that:

- Regulations in 2014 allocated sanitation as a legal government responsibility as it is a basic, concurrent and mandatory affair⁹ and therefore facilitating pathways for local governments to fulfil this mandate has become important.
- Communal scale sanitation has evolved from predominantly communal sanitation facilities (MCK) to small sewer networks (IPAL communal), which have more complex operational and maintenance challenges.
- In the future some cities will have hundreds of communal scale systems. For instance, by the end of 2016 Bogor is expected to have almost 100 systems which will require improved coordination, particularly if they are to be integrated into city-wide sanitation planning and operations.
- The Sustainable Development Goals (SDGs) have shifted from the Millennium Development Goal (MDG) to focus on access to improved sanitation to safe services, requiring attention to the entire sanitation service chain (containment, collection, treatment and reuse), placing further responsibilities with government, since these aspects that lie beyond household access to toilet facilities.

With the proposed investment and further scale-up, including potential for another 4,300 systems in 2017, it is an opportune time to review whether the current approach is still appropriate.

To achieve the GoI's ambitious 100% target, optimisation of investments should be a priority, and so should ensuring that investments are maintained adequately to sustain performance and service in the long term rather than depreciating and requiring additional investment. This is not an issue in Indonesia alone but requires a shift in focus from investment only towards setting up a conducive institutional environment for ongoing service provision, including effective management, operation, maintenance and financial sustainability.

⁹ Al'Afghani, MM, Paramita, D, Mitchell, C, Ross, K 2015. Review of Regulatory Framework for Local Scale "Air Limbah". Prepared by the Center for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor and Institute for Sustainable Futures, University of Technology Sydney

CHAPTER 2: METHOD

This chapter presents the research questions and approach, with further details provided in Annexe 1 on the case study methodology. As outlined earlier, the aim of the research was to support progression towards increasing local government role to support sustainability of communal scale sanitation systems throughout Indonesia.

2.1 RESEARCH QUESTIONS

- a) What enablers and constraints are revealed when local government increase responsibility for communal scale sanitation in two case study areas (Kota Bogor and Kabupaten Bantaeng)?
 - To what extent are the four proposed minimum responsibilities for local government *appropriate, acceptable, feasible* and *strategic* in terms of improving sustainability of communal scale sanitation services?
 - How could the institutional arrangements be modified to increase local government responsibility for communal scale sanitation in the case study locations? What should be the role of different actors (e.g. relevant SKPD, Dinas/UPTD/BLUD, Pokja sanitasi etc.)?
 - What constraints are imposed by national implementation approaches and regulations that impact on local government's ability to taken on the proposed minimum responsibilities?
- b) What recommendations for revisions to the SANIMAS guidelines would clarify local government responsibility and guide all stakeholders on the options and implementation of a co-management approach?

2.2 RESEARCH APPROACH

Case study cities

The two case study locations were Kota Bogor, West Java and Kabupaten Bantaeng, South Sulawesi. These locations were identified on the basis of previous research as local governments with an interest in changing and extending local government roles to support the effective ongoing operation and management of community-scale systems.

The research approach for the case studies included the following components, with further details provided in Annex I:

- i. **Document review and visit communal scale systems:** Background review of knowledge of the case study site in relation to community-scale sanitation
- ii. **Participatory research co-design workshop:** Using guidance materials developed under previous ISF-UTS research, a workshop was held in each city, bringing together local government and community stakeholders to discuss how roles and responsibilities for management and governance are shared across local government and the community (see Figure 2).
- iii. **Interviews:** Conducted with key stakeholders post-workshop to better understand their perspectives on the potential service models and proposed co-management arrangements.

- iv. **Documentation of actions to progress:** Actions that stakeholders took to improve the governance of = systems were documented and shared.
- v. **Follow-up engagement:** A follow-up visit two months later involved meeting with Sekda and Pokja Sanitasi and interviews with key stakeholders to assess progress towards a co-management approach. We documented the opportunities and challenges faced, the wider implications and the lessons learned.
- vi. **Final Workshop:** A national workshop to present the findings of the three components of the research, including presentations by both case study cities regarding their progress in co-management and key challenges.
- vii. **Report:** Drawing on the two phases of local government engagement, the report focused on (i) lessons applicable for other local governments and (ii) implications for national-level guidance.

Figure 2 – Workshop in Bantaeng and Bogor



Review of national program guidelines

The research approach for the review of SANIMAS Guidelines included:

- i. **Consultation:** Initial consultation with relevant stakeholders, in particular with the Ministry of Public Works communal scale sanitation sub-directorates.
- ii. **Document review:** Review of the following documents provided by PU:
 - Technical Guidelines SANIMAS Regular and Appendix (*Petunjuk Teknis SANIMAS Regular dan Lampiran*) 2016.
 - Implementation Guidelines for Special Allocation Fund (DAK) Infrastructure Sector Sub Sector Sanitation (*Petunjuk Pelaksanaan Dana Alokasi Khusus (DAK) Bidang Infracstruktur Sub Bidang Sanitasi*) 2016.
- iii. **Identification of draft areas for recommendations:** Based on the ISF-UTS research findings and the proposed shift to co-management with increased local government responsibilities, areas for proposed changes to the guidelines, including articulation of the reasons for each proposed change and key points for discussion with stakeholders.
- iv. **National stakeholder engagement:** National-level meetings to discuss the scope of proposed changes to the guideline.
- v. **Recommendations for the Guidelines:** Further detailed review of the Guidelines, and development of proposed changes

CHAPTER 3: OUTLINING A CO-MANAGEMENT APPROACH

Based on both World Bank and ISF-UTS research findings, it was recommended that there be greater local government involvement in the management and governance of communal scale systems. However, it is recognised that the community plays an important role, and community empowerment remains a strong national government norm. Therefore, a co-management approach is proposed with KSM/KPP continuing to manage the daily system operation, with local government responsible for supporting the KSM/KPP in more complex tasks. Four minimum responsibilities are identified for local government to support the communal scale systems (see Table 2).

Table 2 - Co-management approach to communal scale sanitation

| Co-management | |
|---|---|
| Community operate | Local government support |
| Within KSM/KPP capacity: <ul style="list-style-type: none"> - Day-to-day operation and maintenance including regular cleaning, removing rubbish, unblocking pipes and conducting minor repairs - Collect user fees and funding regular costs (e.g. pay operator) - Request support | Proposed minimum responsibilities: <ol style="list-style-type: none"> 1. Monitor and maintain records and plan corrective action. 2. Provide technical and social support to KSM/KPP. 3. Formalise process of fee setting and collection. 4. Fund major costs (rehabilitation, extension retrofitting). |

These four proposed **Local Government Minimum Responsibilities** were based on the previous research findings and were further verified through workshops in case study locations (see details in Chapters 4 and 5).

3.1 MONITOR AND MAINTAIN RECORDS

Proposed local government responsibility: Monitor and maintain records of all communal scale systems, including technical assessment of performance and damages, and the institutional and financial status of KSM/KPP, inform KSM/KPP of any immediate concerns and share data with relevant SKPD and ensure corrective follow-up actions.

Why specified responsibility is required: The previous research found that limited monitoring occurs, most national data focuses on surveying what was built (typically once only) and local monitoring focuses on effluent quality. The system operation (and related maintenance requirements) and the institutional and financial status of KSM/KPP have only been collected by the World Bank in 2013, or AKSANSI.¹⁰ Although some information was collected by different agencies (effluent data by the Environmental Agency, well quality by the Health Department) it was often not

¹⁰ Mitchell, C, Ross, K, and Abey Suriya, K. 2016. An analysis of performance data for local scale wastewater services in Indonesia. Prepared by the Institute for Sustainable Futures, University of Technology Sydney.

consolidated or not used to inform service improvements. To date the monitoring of systems has focused on the technical aspects, particularly effluent quality, without consideration of the status of management (is there a KSM, it is active, is there an operator, are user fees set, collected and used appropriately, is the community informed). Monitoring also needs to consider the different levels at which the information will be used, including:

- **Strategic level:** There is a need for city or national scale monitoring to understand the status and performance of the systems with respect to city-wide sanitation planning and development, and to determine the extent to which communal scale systems are a cost-effective, appropriate way to achieve city and national-level sanitation strategies.
- **Tactical level (or management level):** This requires monitoring of technical, institutional and financial status of systems. Monitoring should be ongoing (ie. annually) and should inform the sanitation department of priorities for investment and planning.
- **Operational Level:** This is daily/weekly monitoring at the KSM/KPP level of the system operations to inform immediate needs and maintenance, or make requests for additional support.

The main level of focus for the monitoring proposed in this report is the tactical level. However, organisations such as AKSANSI¹¹ also compile data from a number of systems in the region to present broader issues and needs to government at a strategic level.

Options to improve: The responsibility for tactical (management) monitoring is already allocated to local government in the SANIMAS guidelines. However, the lead actor to consolidate data and share the findings needs to be clarified in each city. Organisations which could play this leading role include:

- a) UPTD¹² (or the relevant technical department/agency) could be tasked to collect and consolidate data for both technical and non-technical status and take corrective actions. Other departments could be required to provide data. For example, environment or health departments could provide data on effluent, river and well water quality.
- b) PU could be tasked to collect and consolidate data for both technical and non-technical and take corrective actions.
- c) PU or UPTD could outsource monitoring to AKSANSI or another organisation or consultant, and take corrective actions.
- d) Bappeda could collate and analyse data collected from multiple sources (UPTD/PU for technical, kelurahan¹³ for institutional/financial) and use Pokja sanitasi as a means of allocating corrective actions to relevant agencies.

¹¹ *Asosiasi KSM SANITASI Seluruh Indonesia* is the Association of Community Based Organisations on Sanitation in Indonesia

¹² Unit Pelaksana Teknis Dinas - Pengelolaan Air Limbah (UPTD-PAL) is the Technical Implementation Service Unit - Wastewater Management.

¹³ Kelurahan is the community level administrative in cities and Desa is the village level

The option of Bappeda compiling monitoring data could contribute to strategic level monitoring at a city level, while national strategic monitoring could further extend the use and capabilities of a national database such as NAWASIS.¹⁴ Strategic level data could be used to inform budget allocation and the assessment of the effectiveness of the SANIMAS approach in terms of both construction and ongoing service provision.

3.2 PROVIDE TECHNICAL AND SOCIAL SUPPORT TO KSM/KPP

Proposed local government responsibility: We propose that local governments be responsible for proactively providing KSM/KPPs with technical and institutional support post-construction for operation, maintenance and management.

Why: The previous 2013 World Bank research found that one-third of systems do not have an active management group, most do not collect user fees and over half the operators surveyed are working without cash payment.¹⁵ While these systems are built with an efforts to enable community empowerment, at present this only occurs in the implementation phase, with little support post-construction. Instead, some communities reported that the system becomes a burden due to malfunctions, and that there was a lack of a clear line of communication or assistance from local government.

The previous ISF-UTS research found that while the KSM/KPP is capable of daily operation activities, many activities are challenging for KSM/KPPs (see Table 3):

Table 3 – Technical and non-technical activities beyond KSM/KPP capacity¹⁶

| Technical challenges | Non-technical challenges |
|--|---|
| <ul style="list-style-type: none"> • monitoring of effluent • major repairs and rehabilitation • retrofitting unused facilities (MCK & unconnected SSS) • conducting biogas maintenance • de-scumming monthly • desludging every 2-4 years | <ul style="list-style-type: none"> • collecting user fees • managing the treasury/accounting books, reporting and managing bank accounts. • paying operators, planning and budgeting for recurrent or major/unexpected costs • sourcing supplementary income • ensuring operator is active and has legitimacy in community • educating households about the benefits of the system to encourage them to connect or increase their willingness to pay. |

¹⁴ NAWASIS or the National Water Supply and Sanitation Information Service is an internet-based data centre being developed to monitor the development of water and sanitation sector in Indonesia www.nawasis.info.

¹⁵ Eales, K., Siregar, R., Febriani, E., & Blackett, I. (2013). Review of community managed decentralized wastewater treatment systems in Indonesia. Final Report. World Bank Water and Sanitation Program.

¹⁶ Mitchell, C, Ross, K, and Abey Suriya, K. 2016. An analysis of performance data for local scale wastewater services in Indonesia. Prepared by the Institute for Sustainable Futures, University of Technology Sydney.

Options for improvement: To ensure the sustainable operation of the systems, particularly communal sewerage systems which are more complex than communal toilets, KSM/KPP need ongoing support. Options for support include:

- a) UPTD (or sanitation SKPD) could provide both technical and non-technical support to KSM/KPP. However, it needs sufficient human resources for this role
- b) UPTD (or sanitation SKPD) could provide technical support and kelurahan or RW could provide non-technical support. Clear accountabilities and coordination would be necessary due to overlap between social and technical needs.

3.3 FORMALISE FEE SETTING AND COLLECTION

Proposed local government responsibility: Formalise user fee setting and fee collection to provide authority and legitimacy for KSM/KPPs or local leaders and enable sustainable financing of operational costs.

Why: Although the community commits to paying the ongoing costs as part of the initial selection criteria, the World Bank research found that more than a quarter of community sanitation centres have no regular income at all, and over half of simplified sewer systems rely solely on ad hoc collections as necessary.¹⁷ Similarly, the previous ISF-UTS research found that collecting adequate fees for sustaining operations is the most common challenge for KSMS.¹⁸ This is due to:

- Lack of perceived need, particularly for communal sewer systems, since the operator is typically not paid and major costs such as desludging or maintenance are not planned for.
- Lack of legitimacy for wastewater fees. According to the SANIMAS guidelines the fees are “iuran” which is a voluntary contribution rather than a “tariff” or “retribution” which are regulated payments. Nor are sanitation fees set at village or sub-village levels, whereas this is done for other community service fees (i.e. security or waste collection).
- Lack of authority to collect fees due to: a) the lack of legitimacy of the fees (above) and b) if the allocated collector is the operator or someone not linked to the community power system (RW/RT) then they have low authority to collect fees.
- Low willingness to pay – with education and empowerment typically only undertaken pre-construction, the understanding of the benefits of the system is lost.

Options to improve the setting and collection of user fees:

a) **Setting of fee:** Since the SANIMAS guidelines state it is a voluntary fee (*iuran*) and not applicable citywide, it was reported by the case study cities that it would be more

¹⁷ Eales, K., Siregar, R., Febriani, E., & Blackett, I. (2013) Review of community managed decentralized wastewater treatment systems in Indonesia. Final Report. World Bank Water and Sanitation Program.

¹⁸ Mitchell, C, Ross, K, and Abey Suriya, K. (2016) An analysis of performance data for local scale wastewater services in Indonesia. Prepared by the Institute for Sustainable Futures, University of Technology Sydney.

appropriate to set a fee at a kelurahan or lower level, such as through a local decree (*Surat Keputusan, SK*). Two options for formalising the fee setting include:

- Set a tariff window per city that is agreed between kelurahans and which defines upper and lower limits of an acceptable amount to charge. The amount needs to be enough to cover the regular costs to be funded by community but affordable and equitable in its distribution given users are typically low-income households.
- Empower individual KSM/KPP to set fees for their community with advisory support from UPTD/kelurahan regarding cost recovery.

b) **Who collects fees:** Alternatives for collecting fees were considered due to the difficulties involved in the community collecting them. However, if fee collection is moved from the KSM/KPP, there need to be mechanisms to ensure the funds can be used on community costs such as paying the operator or cleaning/maintenance materials. Possibilities for fee collection include:

- KSM/KPP continues to collect fees, with additional authority provided by kelurahan, and/or formalisation of a written bill to add legitimacy.
- RW/kelurahan collects fees
- an external agency (UPTD or PDAM) collects fees, which could be aligned with future programs for monthly tariff collection for regular desludging.

3.4 FUND MAJOR COSTS

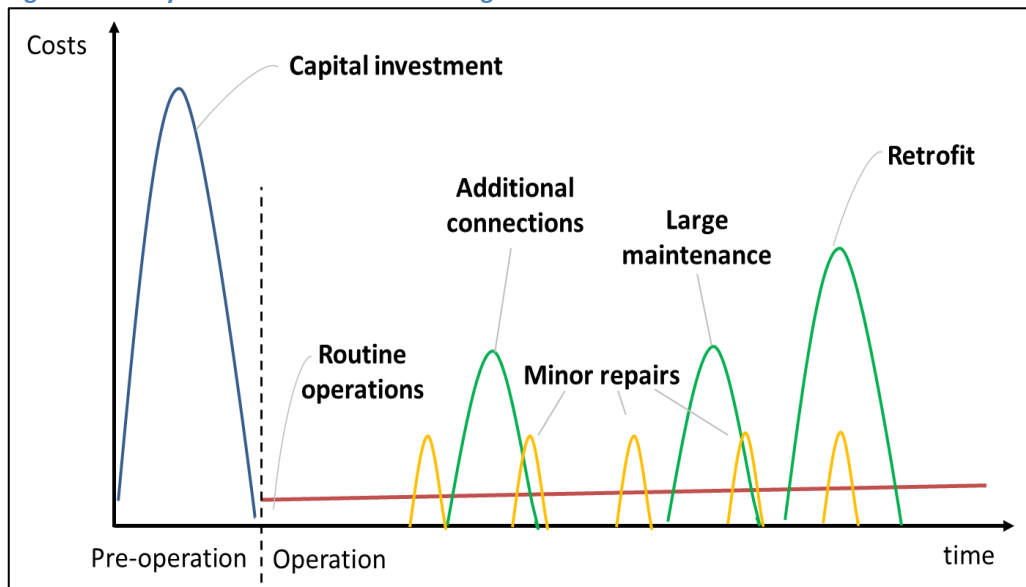
Proposed local government responsibility: Fund major costs that are greater than community financial capacity (for example: major repairs and rehabilitation, additional connections and retrofitting).

Why: Most KSM/KPPs are not able to collect sufficient fees to cover routine operational costs, let alone the major and significant costs which need to be met for successful operation. Nor are they capable of planning and budgeting for such costs. Life-cycle costs for sustainable operation of assets post-construction include (see Figure 3)

- **Capital investment (blue):** initial investment cost for infrastructure
- **Routine operation (red):** such as the operator's salary, costs of cleaning materials and equipment, electricity and water costs for communal toilet facilities, etc.
- Minor repairs (yellow): small maintenance costs such as unclogging the system, desludging, fixing pumps, desludging (every 4-5 years).
- **Major costs (green):** Larger repairs such as main pipe or outlet repairs, rehabilitation from major damage, system expansion and new connections or retrofitting (i.e. converting an MCK to IPAL communal).

Given regular collection of adequate user fees, the KSM/KPP should be able to recover the routine operational costs and minor repair costs. However, the major costs described above are unlikely to be funded, even with improved cost collection. In addition, to date there has been limited guidance on the options for KSM/KPPs to request financial support. Therefore, performance can be expected to decline or systems may be disconnected.

Figure 3- Life cycle cost elements and timing



Options:

Funding the above major costs is important if the system is going to maintain performance, optimise operation and not depreciate. Recognising that a typical low-income community will be unable to finance these costs, government needs to pay these costs. However, this raises important questions concerning asset ownership and legitimate budget expenditure. A detailed report on guidance regarding budget expenditure items that can be used for the operational phase of communal scale sanitation was prepared in an accompanying report.¹⁹ These key budget items are also summarised in Annexe 4 of this report as part of the review of SANIMAS Guidelines.

“If it’s a service, it can’t be done by community. How can a KSM survive if there is no profit. So government needs to have a budget, but we run into problems of a central government regulation issue”

Senior local government staff member

¹⁹ AlÁfghani, M., Prayitno, E., Mills, F. and Willetts, J. (2016) Increasing Local Government Responsibility for Communal Scale Sanitation- Part 2: Using Regional Budget (APBD) to support post-construction sustainability of communal sanitation, Indonesia Infrastructure Initiative (IndII) Consultant Report.

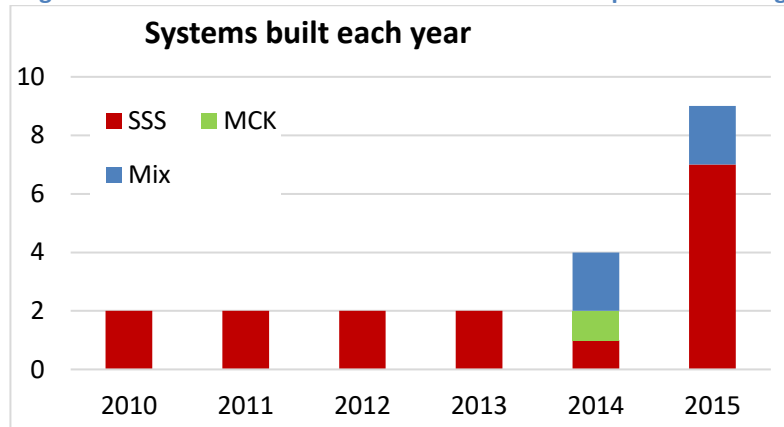
CHAPTER 4: CASE STUDY KABUPATEN BANTAENG

“Sanitation is a public service. We need to see how to have the synergy between KSM [community] and government”

4.1 BACKGROUND

Kabupaten Bantaeng is a Regency in south Sulawesi located on the coast, with a population of 178,500 and a population density of 450 people/km².²⁰ The previous ISF-UTS research team met with local government and identified a willingness to increase support for community scale systems. Bantaeng is also one of 12 “strategic” regions for development in Indonesia with the vice-mayor indicating poverty reduction and coastal development to be key priorities. Regarding sanitation planning, in 2013-2014 Bantaeng produced the white book city sanitation strategy (SSK) and Sanitation Program Memorandum (MPS). The EHRA survey data which these are based on is being expanded in 2016 with a more comprehensive poverty, health and sanitation survey. The development of these documents was supported by USAID’s IUWASH program, with both IUWASH+ and USDP2 partnering with Bantaeng for their upcoming programs. Both development partners were consulted and included in this research, and workshops were held to provide continuity to the ideas and actions discussed. There has been recent growth in Bantaeng’s implementation of communal scale sanitation (see Figure 4)

Figure 4 – Growth of communal scale sanitation Kabupaten Bantaeng



Currently, 68% of Bantaeng households use septic tanks, 10% use MCK and communal systems and 22% practice open defecation.²¹ There are 22 IPAL communal scale systems in Bantaeng. They have been built since 2010. Based on an expected design capacity of 50hh/system approximately 4,400 people can be served by these systems which equates to 2.5% of the population.²² However, based on a survey conducted during this study,

²⁰ Memorandum Program Sanitasi, PPSP Kabupaten Bantaeng 2014, 2011 data

²¹ Memorandum Program Sanitasi, PPSP Kabupaten Bantaeng 2014, 2011 data

²² Table provided by PU Kabupaten Bantaeng

utilisation is approximately 66% or 2,444 people. The SSK reported an average annual spending on wastewater of IDR 772 million between 2009 and 2012, 0.2% of the total local government budget (APBD). It also includes the proposed budget for 2014-2018 for wastewater of IDR 33 billion which includes reducing open defecation (target 80% latrine ownership by 2018), increasing toilet connections to MCK+, optimising IPLT and constructing more IPAL communal systems.²³ However, the Medium-Term Development Plan for Domestic Waste Water Bantaeng is not clear how many IPAL communal systems are proposed.²⁴ The proposed sanitation investment for 2017 reported during the field visit included a request for 3,000 septic tanks as part of the national grant program and three IPAL communal systems.

Sanitation was managed by UPTD-PAL which was established in 2014 under the public works (PU) department. At present it consists of one technical staff (echelon 4), one support staff, four truck operators and two treatment plant operators. Based on the 2015 PU decree, UPTD-PAL is responsible for the operation of centralised wastewater treatment systems, treatment for special communal apartments and sludge treatment, and although the responsibility for communal scale systems was not clearly defined, there was one specific position allocated for a patron or guide for IPAL communal facilities and community participation management.²⁵ At present, no staff are allocated to these roles and there are no specified plans to expand UPTD-PAL human resources to include these in the near future.

4.2 MINIMUM RESPONSIBILITIES

The proposed four minimum local government responsibilities were discussed in interviews, the co-management workshop and the final meeting with Sekda and Pokja Sanitasi. Scenarios relevant to these minimum responsibilities in the context of Bantaeng were developed at the workshop. Considering co-management, participants developed optimal processes, communication channels and allocation of responsibility for relevant tasks (see Annex 1 for further details). The scenarios discussed were:

- monitoring and reporting both technical and non-technical status
- the addition of household and/or blackwater connections²⁶
- identifying and making major repairs or rehabilitation, including a follow-on discussion about desludging.
- formalisation of user fees and support to KSM/KPP for fee collection.

²³ Strategi Sanitasi Kabupaten Bantaeng 2013, Table 4.1a

²⁴ Memorandum Program Sanitasi, PPSP Kabupaten Bantaeng 2014, Table 2.7

²⁵ 2015 Bupati decree about domestic wastewater No 37/2015.

²⁶ Field visit of community scale systems in September 2016 found that systems built before 2014 typically did not connect blackwater (from toilet), while only some households connect blackwater in the systems built since 2016. Only 23% of the households connected to IPAL Komunal had both blackwater and greywater connected.

4.2.1 MONITORING

Recognised need for monitoring

Prior to this research there was limited data on the technical status of communal sanitation systems and no data on KSM/KPPs institutional or financial status. While effluent monitoring was conducted by the environmental agency (BAPPEDALDA) the available data was not for all sites and only monitored environmental parameters that do not indicate treatment performance. Both the health department (DINKES) and Bappedalda monitor groundwater quality, however this information is not shared with other departments or consolidated with other data to inform sanitation improvements.

Bappededas stated that there should be a shift from a situation in which planning follows investment: *“investment should follow planning and planning requires data”*. Kabupaten Bantaeng reported a number of reasons why monitoring should be improved. They included: the need for data on the status of sanitation in order to receive national funding to provide on-site sanitation, to improve river and sea water quality, and to improve planning for system repairs.

Local government taking on responsibility

Kabupaten Bantaeng has already taken steps to improve monitoring, specifically for the communal scale systems. UPTD accompanied AKSANSI to conduct monitoring of the technical, institutional and financial status of the existing systems in September 2016. Bantaeng were willing to investigate the options to engage AKSANSI in future monitoring, recognising that UPTD does not have the resources or capacity at this stage. Bappededa is also in the process of conducting city-wide sanitation status and health surveys, and proposed to add this data to their poverty database, and it plans to set up a statistics centre. Although this data is at a higher level than needed to monitor communal scale sanitation, monitoring was considered important, as was the provision of a centralised location where various actors can contribute to and access data.

Way forward

- *Clarify who is responsible for leadership for monitoring*: It is proposed that PU to commit and operationalise the coordination of ongoing monitoring and data collection for IPAL communal systems, which is the agency responsible for sanitation and the authority able to fund improvements. The PU decree (3/2015) allocates responsibility to UPTD-PAL for wastewater monitoring, however they do not yet have a laboratory so Bappedalda continues to monitor. Monitoring should include both technical and social aspects, and may require additional resources for UPTD and/or support from others to collect (Bappedalda, Kelurahan). PU may require support from Pokja Sanitasi or formal regulation to enable it to coordinate other departments on the same level.
- *Consolidate and share data*: In clarifying responsibility Pokja sanitasi should also clarify the process for collecting data, sharing findings and the appropriate organisations for responding to findings (.ie. Bappededa for planning, Bappedalda/Dinkes for water quality, Kelurahan for non-technical support).
- *Consider formally engaging AKSANSI*: Given the limited human resource capacity of UPTD-PAL, consider whether AKSANSI can be formally engaged to conduct regular monitoring like the monitoring that occurred through this project. This could be

conducted annually before budget requests are made by PU, to better plan and prioritise investments. The feasibility of financing AKSANSI through grants with a requirement that the funds be allocated to monitoring in Bantaeng was discussed and should be investigated further (see Box 1).

Box 1 – AKSANSI’s role in monitoring

AKSANSI (the Association of Community Based Organisations on Sanitation in Indonesia) conducts monitoring of communal scale systems through their local branches across six provinces in Indonesia. The AKSANSI national team train members of its branches and KSM/KPP volunteers, to conduct simple preliminary monitoring. The AKSANSI national team then conducts detailed monitoring on systems with major issues. Currently AKSANSI and the branch members conduct this monitoring voluntarily without pay. To optimise AKSANSI’s knowledge of communal scale systems and its skills in monitoring, it is proposed that AKSANSI could play a more formal and paid role at local and national level to monitor and improve sustainability of communal scale systems:

- **Engagement by local government to conduct regular monitoring** – Recognising that technical agencies might not have the skills or time to conduct monitoring and identify issues (particularly non-technical issues), local government could formally engage AKSANSI to conduct monitoring on their behalf. To date AKSANSI has not been funded by local government, although an MOU has been signed in seven cities, no cooperation agreement (surat perjanjian kerjasama SPK) was finalised and therefore they could not be funded for their work. The national AKSANSI office is a legal entity and can receive grants, however it cannot receive grants every year unless sanitation can be an exception as is the case for the Red Cross and Scouts. Additionally, since the national AKSANSI office rather than the city branches manages the monitoring and conducts the analysis, local government would need assurance from AKSANSI that any money provided to AKSANSI would be spent on monitoring within that location only.
- **National database of communal systems:** AKSANSI also has a potential role in compiling data from various cities to input into a national database. The status of systems at a city level could be used to prioritise investment and contribute to improving program and system design and implementation. This would require partnership with a national-level ministry, such as Public Works, and the database could draw from or be integrated with databases such as the National Water Supply and Sanitation Information Services System (NAWASIS) database.

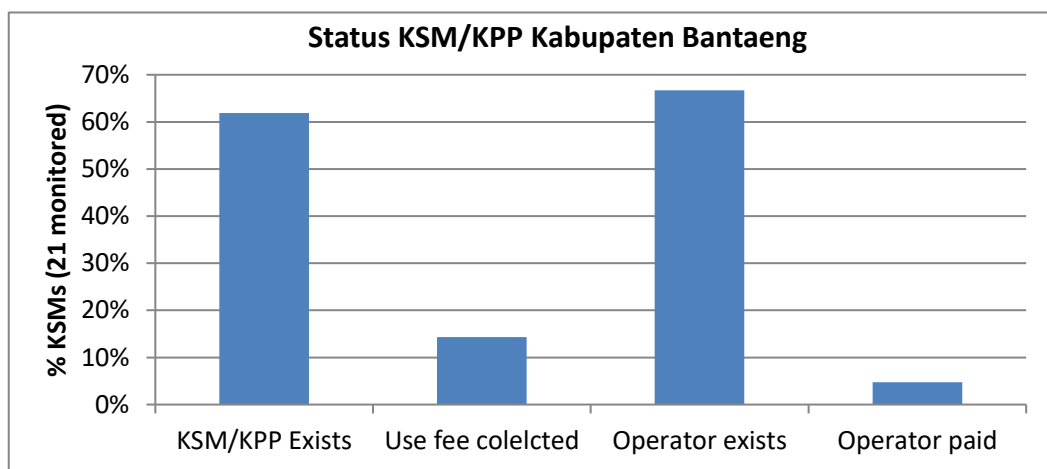
As stated above, AKSANSI currently conducts monitoring and advocacy voluntarily, therefore mechanisms to finance AKSANSI were investigated to improve the sustainability of their support. The mechanisms to fund an association were similar to those for the community organisations as outlined in the Part 2 report. Grants (*hibah*) are the most likely mechanism for a local government to finance AKSANSI for monitoring systems and supporting the KSM/KPPs, although there are two main limitations. Firstly, unless AKSANSI or sanitation is on an exception register (as occurs for Scouts and some other community organisations) the grant cannot be given annually. Additionally, the Permendagri 14/2016 which regulates *hibah*, requires the organisation to be domiciled in its jurisdiction, therefore AKSANSI must be a legal entity in every city/regency they wish to receive local government grants. At present, only the AKSANSI national office is a legal entity, therefore it may be more suitable for national government to consider options to support AKSANSI’s role in assisting KSM/KPPs and monitoring systems.

4.2.2 TECHNICAL AND SOCIAL SUPPORT

Recognised need for technical and social support

Kabupaten Bantaeng has constructed 22 community scale systems in 13 kelurahan/Desas since 2010. The recent monitoring by AKSANSI/UPTD-PAL found various technical problems, with eight systems damaged, and problems with main pipe and backflow. Utilisation was only at 66% and of those households utilising the system, only a quarter had connected both their toilet and their greywater (most don't connect their toilet). Despite the relatively recent development of the system, 28% of communal scale systems do not have an active management group (KSM/BPS) and 38% do not have an active operator (see Figure 5).

Figure 5 – Institutional findings from monitoring October 2016 Kabupaten Bantaeng



While UPTD-PAL has provided some technical support for major repairs to three systems, there is no ongoing technical or social support for KSM/KPPs. The workshop identified that the kelurahan currently does not have a role in community scale systems and a KSM head quoted “I’m embarrassed to say but I do not know where to get support of the process to request help”.

Local government taking on responsibility

While PU/UPTD has begun to support major maintenance, there is a strong commitment by local government to also improve the social support to KSM/KPP by leveraging from existing kelurahan/desa healthy city programs. A coordination meeting with kelurahan has already been held and DINKES will educate its health centre staff (*Puskesmas*) to educate/promote the communal sanitation systems for greater acceptance of blackwater connections. Pokja sanitasi intends to coordinate the kelurahan/Desa to create rules for co-management. Rewards for well performing KSM/KPPs were suggested to recognise good management/institutional aspect.

UPTD has proposed additional technical support to the KSM/KPPs by funding four operators to oversee the operation of all systems in Bantaeng (five systems each). It is proposed the operators will be allocated systems based on the existing active operation of their own communities’ systems.

Way forward

- The division of roles for support should be clarified by PU/UPTD to clarify who is supporting which aspect and the coordination between the organisations involved.
- Since the kelurahan was not previously involved in communal scale sanitation it will be necessary to promote the need to improve sanitation and inform them of the requirements for these systems.
- The motivation and the financial and human resource capacity of kelurahan is not known, and may be limited if they have not been involved in the implementation. Opportunities to incentivise the kelurahan which have well operating systems were discussed.
- Coordination between the various actors supporting the community is required to ensure that promotion aligns with technical programs to build more connections.
- The proposal to fund the operator role is admirable. However, the following factors need to be considered: the complexities with selecting who is funded and ensuring accountability, having an operator work across different locations (not only their home area) and the potential conflict involved, processes for the community to report needs to the operator, and how UPTD will define the role and support the acquisition of the skills required.
- UPTD is allocated a role in the Decree to provide not only technical support but also empowerment/capacity building.²⁷
- In the future the UPTD's role as a "guide" for the empowerment and capacity building for communal scale sanitation that is included in the wastewater Decree should be actualised.²⁸ In addition, in the UPTD Roadmap PU is allocated responsibility for annual institutional strengthening of KSM/BPS.²⁹ In the future these roles should be carried out to ensure optimal coordination and coordination should not depend on kelurahan.

4.2.3 SETTING THE USER FEE AND AUTHORITY FOR COLLECTION

Recognising the need for support in setting user fees

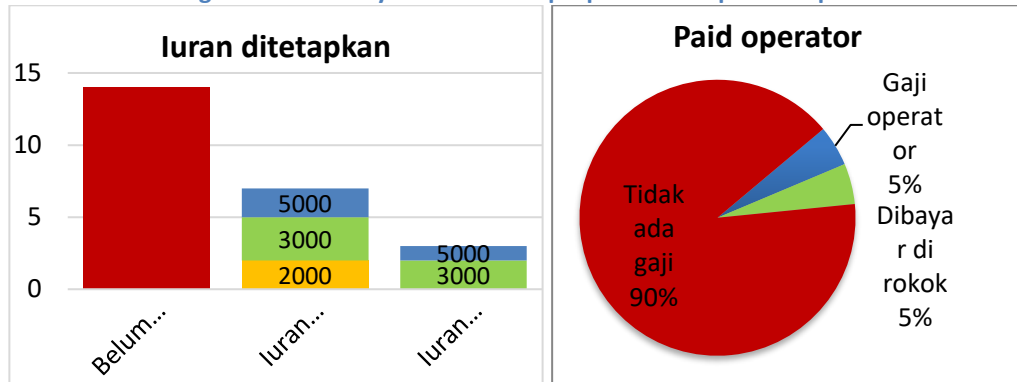
AKSANSI's monitoring in 2016 revealed that only 33% of KSM/BPS had set a user fee. The others reported that they didn't know a fee was expected, did not think it was necessary, thought the community would not pay, or thought the area was too poor to pay. Only 14% (2 locations) collected user fees and of these only one provided a salary to the operator while the other provided cigarettes for work done. The collected monthly fees are between IDR 3,000 and 5,000/month (see Figure 6).

²⁷ Joint agreement on the development of UPTD-PAL (*Kesepakatan Bersama tentang Pengembangan unit pelaksana teknis DINAS (UPTD) pengelolaan air limbah domestik*), January 2015 and PU Decree 3/2015 on UPTD-PAL position description (*Keputusan kepala dinas pekerjaan umum dan kimpreswil Nomor 03 Tahun 2015*).

²⁸ 2015 Bupati decree about domestic wastewater No 37/2015

²⁹ January 2015 Roadmap – Joint Agreement Regarding the development of UPTD.

Figure 6 – Monthly user fees and proportion of operators paid



Interviews with four operators during the project indicated that many would like to be paid but are likely to continue their work unpaid out of a sense of obligation: “*feel I have to make a contribution to my community and keeping it clean*” and “*I am not to allocated operator but I realise that if there is no money then no one else will work. Since the community trusted me to be head of KSM, I feel responsible to maintain the system*”. The operators also reported that they are not always supported by the RT/RW which is why Kelurahan support is important. Regulations regarding the user fee and its use are also necessary to support KSM/KPP treasurers, as one noted that there is an expectation that any saved money will be made available for emergency community expenses rather than saved for major repairs or desludging.

Local government taking on responsibility

As part of this project it was agreed that the formalisation of fees and KSM/KPP responsibility for collection through a kelurahan-level decree (Surat Keputusan, SK) rather than through a higher Kabupaten regulation, was appropriate. Discussions have begun with kelurahan/desa regarding their roles in supporting KSM/KPP and the management of communal scale systems.

While government has proposed that it will support the operator fees through UPTD, it was agreed that with regular fee collection it is possible for this expense to be covered by user fees. It is therefore proposed that the subsidising of operator fees be reconsidered in one to two years’ time, once the KSM/KPP has been supported to formalise and improve fee collection and financial management.

Way forward

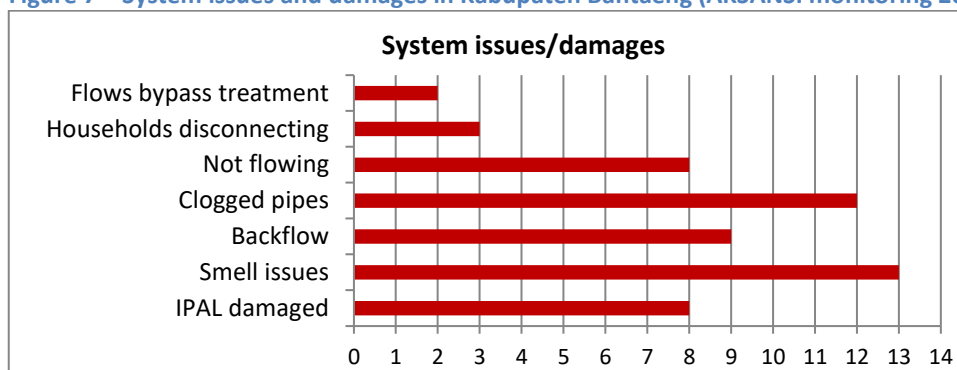
- Develop guidance and training for kelurahans to support the KSM/KPP in fee setting and authorisation, including a meeting of kelurahans to set maximum and minimum acceptable user fees.
- Local government to provide ongoing empowerment and training in financial management, particularly in regard to women’s involvement as they are often tasked as the treasurers or collectors of fees.
- The timing of fee setting and commencing collection should be coordinated with the proposed empowerment and community education support from local health stations (Pukesmas).

4.2.4 MAJOR COSTS

Recognised need for financial support

The recent monitoring in Bantaeng found a number of areas in which the community will require financial support to improve: increasing the number of household connections due to systems operating at only 66% of design capacity; connection of blackwater (from toilet) since 65% of households connect only greywater (from shower, washing); and major maintenance efforts to fix damage to main pipes or treatment and issues (see Figure 7). The monitoring identified one system was not in use and one had very low usage.

Figure 7 – System issues and damages in Kabupaten Bantaeng (AKSANSI monitoring 2016)



Local government taking on responsibility for funding major repairs and expansion:

Local governments have provided funding for major repairs including IDR 50 million in 2015 to build an outlet chamber to reduce backflow from the river, and

“We fixed the flow along the main pipe, we added three manholes- to make it easier to clean. The elevation was critical and is now easier to control”

Local government technical officer

IDR 75 million in 2016 to repair a subsided inlet pipe, resurface the treatment plant, install grease traps and build 17 new connections (see Figure 8). Local government is able to fund these repairs more easily since the majority of systems are funded through DAK, and for most they used capital budget (belanja modal) expenditure and kept assets on the local government asset register. Three systems were funded through goods and services (mostly MCK systems), three were funded by SANIMAS Regular program and 1 by PNPM. All systems are thought to be owned by the community but this is not clear, particularly for those funded through SANIMAS Regular.

Figure 8 - Major maintenance in KSM BORKAL in 2015 and Kelurahan Lembang 2016



For 2017 PU has planned for and requested IDR 90 million for maintenance, additional connections and monitoring of existing systems. Based on AKSANSI monitoring, they have specified the locations for support, however they have indicated these plans can be updated in the future. For the systems not on the local government asset register, PU are interested to investigate ways to financially support these systems or have them handed back. A PU staff member commented: *“It doesn’t matter what program they were built through, we should be able to support them all”*.

Way forward for financing major costs

“If I can make a regulation to maintain the system regardless of the ownership, I will. Basically we don’t want to see if it belongs to government or to community- we want to provide a service”

Local government technical officer

- Coordinate system expansion with community promotion/education campaigns to overcome reported challenges of households not wanting to connect.
- Develop criteria to prioritise investment, focusing on public health and clean waterway objectives. Highlight the need for ongoing financial support to the Bupati to ensure sanitation is given a higher priority and approval is given for the requested budget.
- Investigate the improvement of solid waste management in communities with frequent pipe blockages and provide ongoing support to KSM/BPS in operation and maintenance.
- Investigate options to transfer assets currently owned by the community or the provincial government to the local government asset register so access to financial support is simpler.

4.3 INSTITUTIONAL ARRANGEMENTS FOR MINIMUM LOCAL GOVERNMENT RESPONSIBILITIES

Although the wastewater Perbup decree³⁰ does not clearly include local government’s responsibility for communal scale sanitation, it is clearly defined as a PU and UPTD responsibility in other regulations,³¹ and in Bantaeng

“I think making clear local government’s role in Bupati decree is possible- with the SPM [minimum service standard] it will have to be. The SPM didn’t exist before, but now it will be the obligation of government to do”

Senior local government staff member

there was interest to update this Perbup. UPTD-PAL is responsible for increasing wastewater services, including communal scale systems, and has specific positions allocated to an IPAL communal/community participation guide and a laboratory officer responsible for monitoring, while PU is responsible for the institutional strengthening of KSM/BPS. However, at present the human resource capacity of UPTD-PAL is limited,

³⁰ Bupati Decree about domestic wastewater 37/2015 (*Peraturan Bupati Bantaeng Nomor 37 Tahun 2015*).

³¹Joint agreement on the development of UPTD-PAL (*Kesepakatan Bersama tentang Pengembangan unit pelaksana teknis DINAS (UPTD) pengelolaan air limbah domestik*), January 2015 and PU Decree 3/2015 on UPTD-PAL position description (*Keputusan kepala dinas pekerjaan umum dan kimpreswil Nomor 03 Tahun 2015*).

which means these roles are not currently filled. While kelurahan can be encouraged to support KSM/KPPs, this is a regulatory requirement within PU and in the long term UPTD should be responsible for all technical and social support of KSM/KPPs.

To overcome the problem of limited resources, it is important to clarify the roles and responsibilities of the various actors to ensure efforts are coordinated, and that there is a common goal. With the proposed changes due to Gol regulation PP18³², sanitation is proposed to be under the Housing and Settlement Department and this change could be an opportune time to update SKPD responsibilities and more clearly articulate the proposed minimum responsibilities. The Pokja sanitasi will need to task the kelurahan with supporting communal scale systems and provide training about the institutional and financial requirements. Other activities that are beyond the current capacity of UPTD-PAL could be outsourced, for example by formally engaging AKSANSI to conduct annual monitoring of systems to inform maintenance budget requirements.

4.4 GENDER CONSIDERATIONS FOR COMMUNAL SCALE SYSTEMS

In Kabupaten Banteang the involvement of women in the KSM/KPP was evident and typically in the role of treasurer. The two women KPP interviewed were the wives of the community (RT) leader and therefore held authority within the community. The women had not been given training on accounts however one was actively recording the monthly income and expenses however since collection has only occurred for 1-2 months, they store the money personally, not in a bank account.

In the workshop there were 7 women out of the 25 participants, including 3 representatives from KSM/KPP, 1 from each of Bappedalda, Bappeda, MoH and PU. The facilitation of the workshop ensured that women were given equal opportunity to participate and the KSM/KPP participants were actively engaged in the discussions.



Moving forward the key areas where gender considerations should be included are:

- Ensure that decisions regarding the selection of communal toilet versus private toilet and communal treatment consider gender needs.

³² Government of Indonesia Regulations Number 18/2016 (Peraturan Pemerintah Republik Indonesia Nomor 18 tahun 2016)

- Capacity building of KSM/KPP should be gender inclusive and consider any additional needs of women, particularly if their role is treasurer, and where possible should encourage women to take on leadership roles.
- The local government support to the setting of user fees and authorising collection should consider the significant role of women in these activities.

CHAPTER 5: CASE STUDY KOTA BOGOR

“Government invests a lot of money in these systems, so it has to be well done and not go to waste”

5.1 BACKGROUND

Kota Bogor is a city in West Java with a population of just over 1 million (2014) and a population density of 8,700/km². Kota Bogor was involved in several aspects of the previous ISF-UTS study including workshops on the cost of communal scale sanitation and institutional arrangements, and contributions to IUWASH’s draft wastewater regulations. Kota Bogor completed their city sanitation strategy (SSK) in 2011 and also conducted a wastewater feasibility study (2011) focusing on centralised sewerage. A new wastewater Perda is in the approval process which is intended for all scales of sanitation, and was developed with the support of IUWASH. IUWASH have also supported the development of a pilot program for regular emptying, while other development partners including AFD and DFAT have supported the development of centralised sewerage by increasing connections to the new system and developing new treatment plants. The average spending on wastewater was IDR 2.7 billion (2012-2016) which was 0.26% of the direct expenditure budget.³³

Sanitation in Kota Bogor is predominantly on-site (71%), although many households’ toilets discharge directly to the river (22%) and open defecation still occurs (4%).³⁴ A centralised wastewater treatment plant was built in 1997 for 600 households but currently only 393 are connected (0.3%), a sludge treatment plant is located at the same site but uses a separate treatment process.³⁵ Fifty-two community scale sanitation systems were built from 2007 to 2014 serving over 8000 people (1% of the population).³⁶ The systems were funded through SANIMAS Regular (58%), DAK SLBM (33%) and STBM (10%) and include mostly mixed systems (55%), followed by MCK++ (35%) and community sewerage systems (12%).³⁷ Data from the Wasbangkim feasibility study indicated only 36% utilisation, but not all systems had data available on users served. In 2016 another 40 systems were intended to be built, including 20 Regular, 5 DAK, 21 IDB and another 83 are planned for 2017 (50 regular, 6 DAK, 27 IDB).³⁸

Wasbangkim (the department of building and housing supervision, WBK) was assigned responsibility for community scale sanitation systems in 2015. Prior to this UPTD-PAL (under DKP) were responsible as they also managed the centralised sewerage system and faecal sludge. The Healthy City Forum (*Forum Kota Sehat*, FKS) was established in 2007 and it supports the implementation of communal scale systems, while an

³³ Presentation from Kota Bogor at the Final Workshop

³⁴ Harris, D (2015) Making the most of community-scale wastewater treatment services Findings from Bogor City Presentation as part of Community Scale Governance Project.

³⁵ Presentation from Kota Bogor at the Final Workshop

³⁶ Final Report Feasibility Study Wastewater Kota Bogor (*Laporan Akhir Feasibility Study Pengembangan Jaringan Air Limbah Permukiman Kota Bogor*), by RCBS for Wasbangkim 2015.

³⁷ Final Report Feasibility Study Wastewater Kota Bogor (*Laporan Akhir Feasibility Study Pengembangan Jaringan Air Limbah Permukiman Kota Bogor*), by RCBS for Wasbangkim 2015.

³⁸ Reported from WBK August 2016

AKSANSI branch was established in 2013 to support the KSM in the operation phase. Note that in this case study we use the term KSM rather than KPP. This is because, whilst the advice to have separate entities is understood by some stakeholders in Bogor, the general term used to refer to either KSM or KPP continues to be KSM.

5.2 MINIMUM RESPONSIBILITIES

The proposed four minimum local government responsibilities were discussed in interviews, the co-management workshop and the final meeting with Sekda and Pokja Sanitasi. At the co-management workshop, locally relevant scenarios for these minimum responsibilities were discussed. Participants were asked to consider alternatives to community responsibility for activities which were considered challenging for KSM/KPP. Participants were then asked to develop optimal processes and communication channels, and to allocate responsibility for these activities (see Annex 1 for further details). The activities discussed were:

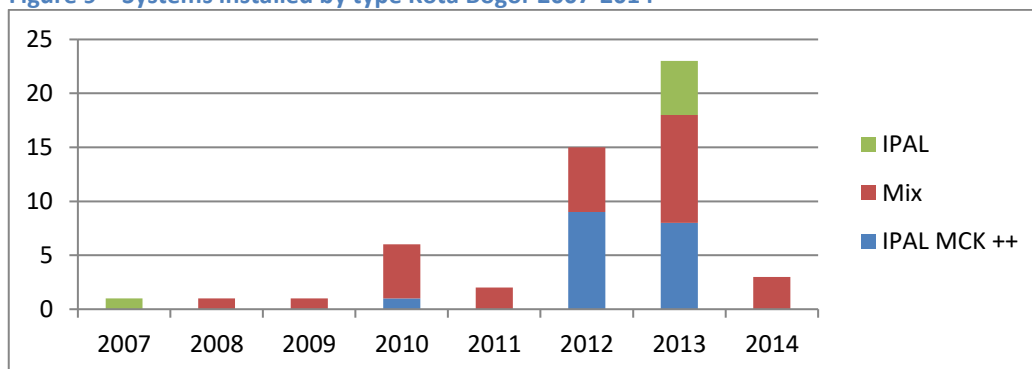
- alternative ways to collect user fees
- desludging
- large maintenance and rehabilitation.

5.2.1 MONITORING

Recognised need for monitoring

Bogor had 52 communal scale systems as of 2014. It was building another 40 in 2016 and proposed to build another 80 in 2017 (see Figure 9). This would result in over 170 systems and a large number of associated individual KSM managing assets that are critical to public health and the environment, and which therefore require regular monitoring. Due to the large number of systems, an ad-hoc approach to planning major maintenance, rehabilitation and expansion is inefficient and a systematic way of assessing issues and prioritising and planning investment will be critical.

Figure 9 – Systems installed by type Kota Bogor 2007-2014³⁹



³⁹ Final Report Feasibility Study Wastewater Kota Bogor (*Laporan Akhir Feasibility Study Pengembangan Jaringan Air Limbah Permukiman Kota Bogor*), by RCBS for Wasbangkim 2015.

Various agencies collect data on community scale systems, with BPLHD monitoring effluent annually and Dinkes monitoring water quality. Wasbangkim recently conducted a technical assessment of 52 systems and AKSANSI have done preliminary monitoring of technical and institutional dimensions. However, this data is typically not shared and is not available to inform decisions, which is particularly important due to the number of different actors involved in communal scale systems in Bogor.

Local government taking on responsibility

Over recent years Kota Bogor has initiated action in the domain of monitoring, including formally shifting responsibility for the monitoring of communal scale systems from the community to local government in the new Perda.

Besides this, Wasbangkim, AKSANSI and BPLHD have all played roles in monitoring. Wasbangkim (WBK) commissioned a feasibility study in 2015 of the technical status of all systems. The study identified 12 priority systems in need of improvement based on damage, idle capacity and location in low income areas. Recognising that this study did not include any institutional considerations, AKSANSI provided information about which KSMs were functioning, since WBK proposed to only fund systems with active KSM. More recently AKSANSI have also shared more detailed monitoring data with local government on institutional considerations including fee collection, payment of operators etc. which can inform corrective action and tailored support to KSM. Finally, Sekda reported that BPLHD had monitored the influent and effluent quality of 40 systems and found that all except one complied with effluent standards, although this data was not shared amongst SKPD.⁴⁰

The way forward

- Data consolidation is needed to ensure appropriate planning by Kota Bogor for the necessary corrective actions by local government that can provide appropriately targeted institutional or financial support. With Wasbangkim, AKSANSI and BPLHD conducting monitoring, Pokja sanitasi will task either Wasbangkim or BPLHD with creating a centralised database and formulating a city mayor regulation (Perwali) to specify the required roles. Wasbangkim could create a database from their report as a valuable first step.
- Ongoing monitoring is needed. Building on the 2015-2016 monitoring, there needs to be a commitment to conducting annual monitoring including technical, institutional and financial monitoring. The roles for this should be defined. AKSANSI could play a role. However, this role should be recompensed rather than undertaken voluntarily.
- The selection of which systems to fund for rehabilitation or extension needs to be more transparent and linked with sanitation risks and improvement objectives.

“Data entry would be centralised with one agency and we and will continue discussing at Pokja saniatsi. Will also make a city mayor regulation (Perwali) to specify the roles for monitoring”

Kota Bogor

⁴⁰ Presentation by Sekda Bogor at the final workshop 22 November 2016.

Either AKSANSI or Wasbangkim could develop a transparent approach to the assessment of monitoring data and criteria to prioritise investment.

5.2.2 TECHNICAL AND SOCIAL SUPPORT TO KSM/KPP

Recognised need for technical and social support

The AKSANSI monitoring in 2016 identified a number of institutional issues: seven systems do not have an operator, 44% don't have a user fee, only one system has been desludged and 10 systems have issues with wastewater flow. Similarly, the Wasbangkim report includes reports of blocked and damaged pipes, and damaged superstructure or treatment systems.

As well as major repairs and rehabilitation, technical support is particularly necessary for desludging, as many systems may require emptying. However, access is difficult due to steep terrain, narrow access lanes and long distances from main roads suitable for the emptying trucks. The small carts provided via awards or grants to some KSMs are unsuitable in some locations because they are too big for alleys or, due to their very small volumes and short hose lengths, they require complex arrangements to empty the systems. This problem requires immediate action. As stated by Sekda in the Bogor workshop, if these systems can't be emptied they shouldn't be built.

Social support is also required, with AKSANSI reporting that many KSM are dissolving and RT heads become tasked with managing the systems. Currently no KSM are legal entities and therefore they cannot receive grants to finance major improvements. AKSANSI is active and provides some social support to KSMs, but they do this voluntarily and do not have the authority to enforce KSM activity or request funding, unlike government institutions. AKSANSI's role needs to be more formally recognised.

Local government taking on responsibility

Kota Bogor has demonstrated leadership in incentivising better functioning of KSM. Since 2014 the local government has presented Sanitation Awards for KSM with the aim of recognising KSMs, motivating good operations and maintenance, and raising awareness in the community about the need to maintain systems.⁴¹ Wasbangkim also conducted empowerment workshops for KSM in 2016.

More recently, some further roles have been defined. There was agreement that Kelurahan should be responsible for providing social and institutional support. It was proposed that this be added to the agenda of a meeting with Kelurahans in November 2016. In addition, UPTD will support desludging but the technical solutions are still unclear for many steep areas.

“But what about sanitation. Money is given to other groups, like boys scouts. ...[...]...Have we considered this as important? We want to give assistance to KSM. Every year we want to give it. This should be governed at national level so we feel more free to give grants”

Kota Bogor

⁴¹ Presentation by Sekda Bogor at final workshop 22 November 2016

Sekda proposed that budget funds should be allocated for both supporting technical issues and for empowerment (including instilling a sense of responsibility, operations training, and setting and collecting tariffs). However grants cannot be provided on an ongoing basis, and only to legal entities, whereas none of the KSM in Bogor are legal entities.

The way forward

- Clarification is needed concerning the role of different local government actors to support KSMs technically and institutionally. This includes the possible involvement of Kelurahan/RW and clarifying the roles of Wasbangkim, UPTD-PAL, FKS and AKSANSI. See Section 5.3 about the proposed changes to responsibilities due to the new GoI Regulation PP18.
- The draft Perda 2016 allocated responsibility for communal scale sanitation to the community without clearly specifying local government roles (other than in monitoring). Therefore, this Perda (and/or other local level regulations) should be updated to reflect the current and expected roles of local government.
- If AKSANSI is to continue to provide social support, the government should consider how these services can be financed.
- Local governments have indicated they could provide funding toward the establishment of KPPs as legal entities, since funding major repairs through grants was preferred by Sekda over local government taking ownership of assets. Given the potential for a large number of KSM across the city (possibly 170 in 2017), this approach may require reconsideration. Whether the creation of both KSM and KPP is actually necessary is discussed in Section 6.4.
- Gender aspects of KSM should be recognised in any social support provided, in order to support women to influence decision-making and take leadership roles.

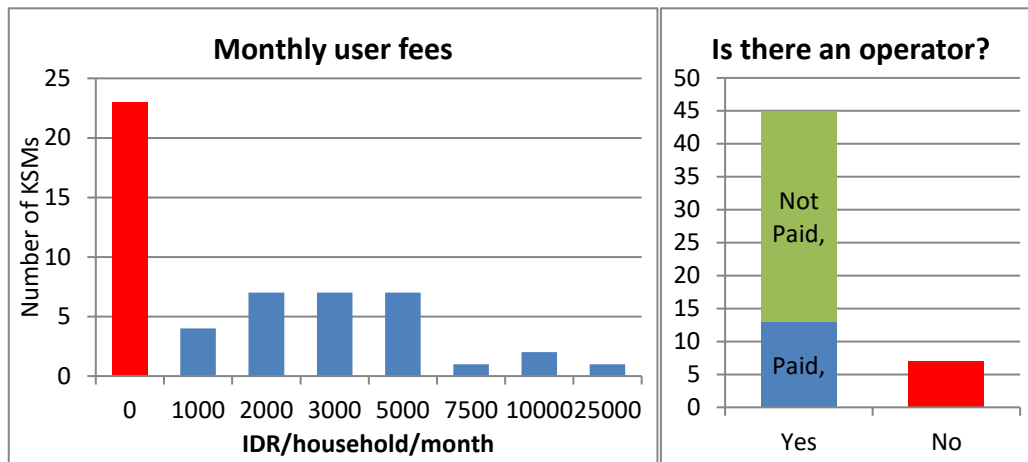
5.2.3 SETTING USER FEE AND AUTHORITY FOR COLLECTION

Recognised need for support

The recent AKSANSI monitoring revealed that 44% of systems do not have a set user fee, and those that do charge IDR 1,000–25,000/hh/month, with an average of IDR 2,400/hh/month (see Figure 10). Data was not collected on whether the KSM are collecting the fees, or on the percentage of households paying. Workshop participants noted that fees are insufficient to cover costs and the monitoring showed only 13 of 52 KSMs pay the operator a salary (see Figure 10).

Barriers to fee collection include the perception from households that sanitation is a free service and they don't see the need to pay, while some KSMs acknowledge the households are low income and do not think they can afford a fee. Very few KSMs are saving money to pay for the intermittent expenses of desludging and minor repairs, therefore these often don't occur or the KSM head pays for it.

Figure 10 – Monthly user fees and existence of operator Kota Bogor



Local government taking on responsibility

As part of this project, Pokja Sanitasi agreed that a user fee should be paid for communal scale systems. However, this included a view that the fee must be affordable for low income households. It was agreed that the RT and kelurahan should be engaged to support the formalisation of *iuran* since it was considered inappropriate to formalise *iuran* within a local government regulation.

The Pokja Sanitasi also agreed to strengthen community awareness about the need for the community to finance minor expenses, and invest in improving KSM finance skills and leadership to set and collect *iuran*.

“Iuran [fees] are an indicator of awareness, it is not the amount that matters. The 44% that have not collected fees are in which kelurahan? We will ask head of kelurahan and pokja to provide motivation and examples for good KSM. Key is to trigger the awareness that they have some responsibility for maintenance”

Kota Bogor

The way forward

- Sekda to inform Kelurahan and RW about the need for community to fund minor maintenance costs and strengthen their role in supporting KSM with fee setting and collection.
- Local government to support KSM to improve their skills in finance management and incentivise collection through the award program. Any training for KSM should consider gender aspects, as women are often involved in the treasury and fee collection roles.
- If city-wide regular emptying fees are implemented, consider the implications for communal scale systems already paying a user fee. Collecting fees through PDAM was discussed. However, this is only appropriate in the future if PDAM are tasked with wastewater management and are able to provide a service, such as maintenance or operation support, for the fees collected. Equally, if at the time that local government departments are re-arranged in 2017, UPTD-PAL is made responsible for communal scale sanitation, then this agency could support formalised fee collection.

- Broadening the Perda requirement for the financing of the operation and maintenance of community scale systems to also include *tariff* and *retribusi* as well as *iuran* would permit alternative options for collection to be considered in the future.

5.2.4 MAJOR COSTS

Recognised need for financial support

The feasibility study commissioned by Wasbangkim identified a number of technical issues, with 12 systems requiring priority improvements due to damage and idle capacity. This included five systems which need replacement due to severely damaged treatment plants or issues with the inlet or outlet pipes, and requests for expansions.

These repairs and expansions are beyond what the community is able to fund through their user fees, which are often insufficient to cover everyday costs including operator fees, maintenance equipment, electricity and water charges for MCK. It was also recognised that the community are typically low income and local government is responsible for paying for these major expenses.

Local government taking on responsibility for funding major repairs and expansion

Wasbangkim funded eight systems for rehabilitation or optimisation in 2016 and requested a similar amount (about IDR 5 billion) for 2017. Improvements supported by local government funding in 2016 included:

- Bina Sejahtera – repaired the MCK roof and added a room for community use
- Majokarta – repaired the main pipe that was not previously flowing
- Pasimurja – repaired and painted the MCK building and built another level for community use, created a new well water supply and fixed some manholes
- Gunung batu – new water supply
- Pasipuda – increased the size of the inlet pipe, built a new water supply and added a washing area at the MCK. This system also requires desludging but it is inaccessible with current equipment.

The way forward

The draft Perda allocates sole responsibility to the community for financing the operation and maintenance of community scale systems. However, the required funds can be “*sourced from iuran or other legitimate sources*” which could include government sources, but there is no requirement for local government to provide funds. An important step is therefore to amend the Perda to include local governments’ responsibility for providing support for large costs.

At present local government does not own assets. The DAK assets are understood to have been handed over to the community, as stated in the SANIMAS Guidelines, and they are not registered on the government asset register. While handback of assets on community land to government was considered acceptable for schools, Sekda indicated a preference for the community to continue to own assets to ensure a sense of responsibility. However, the implications of this need to be further considered and current arrangements could prevent the sustainable operation of Kota Bogor’s systems.

Options for local government to purchase the materials for the community to install were discussed. However, since KSM/KPPs are not legal entities, they cannot currently apply for such funding support from local government.

Pokja sanitasi suggested Wasbangkim should develop a standard operating procedure (SOP) for the local government funding of rehabilitation and expansion. This would ensure strategic investment and the planning of funding, improve equity and provide an incentive for KSM/KPPs to improve their institutional functioning. The procedure would require investment and time and could include the following steps:

- requirements for monitoring, including who is responsible for doing it
- a process to assess investment needs and transparent criteria for prioritising budget allocation
- steps and responsibilities for developing proposals and applying for funds
- funding requirements (i.e. KSM/KPP must be a legal entity so it can obtain funding through grants, or the system must be a government asset if funded through capital expenditure).

The current situation concerning asset ownership is unclear and local government will need to review whether they own the assets (such that they are note on their asset registers) if they are to legally finance them through capital expenditure maintenance budget. Alternatively, local government indicated they could consider financially supporting KSM/KPPs to become legal entities; however, they need to obtain legal status at least three years before they require a grant, and hence this may not be practicable.

5.3 INSTITUTIONAL ARRANGEMENTS FOR MINIMUM LOCAL GOVERNMENT RESPONSIBILITIES

The draft wastewater Perda 2016 was being processed in Parliament at the time of writing. This regulation includes some increases in local government roles such as monitoring. However, the Perda continues to allocate responsibility for building and operation of community scale sanitation to the community (*masyarakat*).⁴² Pokja sanitasi recognised that the further clarification of each SKPDs' responsibilities may be required, and the Sekda suggested that this can be done with a lower level decree (Perwali). However, ideally if the Perda can be revised before it is accepted, it would be beneficial to clarify local governments' and KSMs' obligations.⁴³

The reallocation of SKPD due to Gol regulation PP18⁴⁴ is proposed to shift all sanitation services to the Department of Housing and Settlement. This will provide another opportunity to clarify roles while also ensuring community scale wastewater management is considered within a citywide context. In particular, it would make sense

⁴² Besides being problematic from the perspective that not all responsibility should lie with community, given local government's legal mandate, "Masyarakat" is also an ambiguous term since it does not delineate the community groups (KSM/KPP) from the users and "*masyarakat*" is not a legal entity and without legal obligation. The terms is therefore problematic when used in such regulatory documents of this nature.

⁴³ Detailed recommendations were provided to Kota Bogor on the draft Perda.

⁴⁴ Government of Indonesia Regulations Number 18/2016 (Peraturan Pemerintah Republik Indonesia Nomor 18 tahun 2016)

to ensure that responsibility for wastewater is consolidated so that, assuming UPTD-PAL remains responsible for centralised wastewater, UPTD-PAL should also take on the role of supporting communal scale sanitation. In addition, as local regulations are typically drafted to define the roles of the SKPDs, these could provide a legal basis for the above four minimum responsibilities.

As mentioned above, in order to clarify local governments' ability to financially support systems and to manage them in the future, it is important to clarify the current asset ownership status of the existing 52 systems. Local government should also review the most appropriate approach to implementation of all future systems. This is particularly the DAK systems, where local government has control over the choice of expenditure items and can choose to fund the systems through capital expenditure and maintain ownership of the asset. It is also the case for systems built on government land.⁴⁵ A local government review of future systems would also ensure that the asset handover processes for SANIMAS Regular and IDB programs are legal and completed.

Many of the above activities require financial and time investments and they will therefore require promotion to the city Major explaining why sanitation should be prioritised and funding increased.

5.4 GENDER CONSIDERATIONS FOR COMMUNAL SCALE SYSTEMS

In Kota Bogor women had some roles in KSM/KPPs including one women head of a KSM and was also the head of community (RT). However, KSM were predominately headed by men, with women typically taking up administrative roles (e.g. financial management). This is reflective of the predominance of men in the role of community leader (head RW/RT) who is often also the head of the KSM. In Bogor the cleaning rosters for MCK included both women and men, demonstrating sharing of this responsibility.

There were significant number of female government staff involved in sanitation in Bogor. The counterparts at Bappeda were all female and head of UPTD was also female. In the workshop, there was a majority of women, included 1 from a KSM, 2 from organisations (IUWASH, Aksansi) and 8 from government (3 Bappeda, 3 PDAM, 1 from each of UPTD and BPLH).

As per Kabupaten Bantaeng, the need to consider gender issues includes the selection of sanitation option (private toilet vs communal), the capacity building of KSM/KPP and promotion of gender inclusion in the KSM/KPP (ideally promoting women in leadership positions), and the support of authority for user fee setting and collection which is often a women's role.

⁴⁵ As detailed in section 6.4 SANIMAS Regular is only funded through Belanja barang. Ministry of PU is conducting an assessment of ownership of all systems built through Satker Provincial since 2006. Local government could conduct a similar study of assets implemented through DAK.

CHAPTER 6: SANIMAS GUIDELINES REVIEW

The various communal scale sanitation funding programs are all guided in their implementation, institutional set-up and ongoing operation by the SANIMAS Guidelines developed by the Ministry of Public Works (PU). Achieving improved management and sustainability of communal scale sanitation requires amendments to the national SANIMAS Guidelines (hereafter referred to as 'Guidelines') to provide greater clarity on the responsibility for local governments to support communal scale systems.

The aim of the Guideline review was to provide recommendations for PU to consider in the next update of the SANIMAS Guidelines in 2017, with a focus on clarifying the local government role in the management of communal scale systems, the options available to local governments, and their implications.

6.1 APPROACH TO THE GUIDELINE REVIEW

The review drew directly on the findings of the previous World Bank and ISF-UTS research as well as lessons from the case studies and legal review on regional budget expenditure undertaken as part of this project. In particular, the review considered local government's *legal responsibility* for sanitation services and the need to shift to a co-management approach involving communities and local government to improve the long term sustainability of these systems.

The review considered three areas: (i) allocation of responsibilities to community and to local government (ii) post-construction financing and (iii) asset ownership and KSM/KPP legal status. These are three areas where implementation choices and parameters strongly affect possible local government and community roles in service delivery.

The review comprised the following steps:

- i. Consultation with PU and relevant stakeholders, including Satker PLP Berbasis Masyarakat and the DAK SLBM task force PU wastewater division (PPLP)
- ii. Review of the Guidelines based on findings from previous ISF-UTS research and this project's two case study cities, and relevant input sought from PU and other stakeholders. Guidelines reviewed included:
 - Technical Guidelines and Annex SANIMAS Regular 2016 (*Petunjuk Teknis SANIMAS Regular dan Lampiran 2016*)
 - Implementation Guidelines DAK Sanitation 2016 (*Petunjuk Pelaksanaan Dana Alokasi Khusus (DAK) Bidang Infrastruktur Sub-bidang Sanitasi 2016*)
- iii. Identification of draft areas for proposed updates and submission of a letter to PU request clarification on certain points.
- iv. Engagement with PU and national stakeholders on the proposed changes to the Guidelines through meetings with PU staff and a dissemination workshop.
- v. Documentation of agreed recommendations and outstanding challenges for consideration in the PU's 2017 update of the Guidelines.

6.2 ALLOCATION OF RESPONSIBILITIES TO COMMUNITY AND TO LOCAL GOVERNMENT

Recent updates to the Guidelines have moved from placing full responsibility with the community to assigning some responsibilities to local government; however, these are not always well defined. This section of the review focuses on how the Guidelines could more clearly articulate a co-management approach in which community and government are both responsible for different aspects of management and governance.

Key Findings from the review

Unrealistic assumptions of community management capacity were often linked to the community empowerment norm that assumes that if community is involved, the system will be sustainable. For example, *“Management of infrastructure and facilities can run well if [it is] realized with a real working plan and contributions (funding) from beneficiaries as [a form of] self-reliance for sustainability. This is done to foster a sense of belonging”*. (Regular guidelines Article 6.2). This may be the case for less complex activities, but not for communal scale sanitation. This is particularly the case as these systems move away from toilet blocks (MCK) to small sewer networks. The assumptions made about what the community can do independently are unfounded. The previous World Bank and ISF-UTS research recognised that the community-based approach has not demonstrated sustainable outcomes, and hence both the World Bank and ISF-UTS recommended that greater support be provided to the community and that the ultimate responsibility for sanitation services should lie with local government.

Allocation of responsibility to community is greater than community capacity. This conclusion is based on interviews with KSM/KPPs and surveys of systems in this and the previous ISF-UTS research, which identified activities that were challenging for KSM/KPPs. The Guidelines include numerous activities allocated to the KPP including: prepare the operation and maintenance plan; operate and maintain the sanitation facilities; conduct/organise desludging; conduct effluent monitoring; monitor and record damage and plan repairs; perform repairs/rehabilitate; develop/expand/increase the quality of service and number of house connections; conduct behaviour change campaigns; set and collect user fees; manage and report finances. Many of these activities are beyond the community’s technical and financial capacities and we recommend that under the Guidelines they become minimum local government responsibilities.

Government roles remain unclear although their inclusion is an improvement on previous versions of the Guidelines. Uncertainty stems from the duplication of activities that are also allocated to the community. These activities include monitoring, extension and major repairs. It also stems from the often ambiguous language regarding whether support is optional or obligatory, and whether support is technical or also financial. The SANIMAS Regular Guidelines also allocate responsibility for supporting the KPP to the provincial government which is unrealistic and may conflict with local governments’ authority over sanitation within the city.

Recommendations to update the guidelines:

1. Revise the Guidelines to reflect that the sustainability of communal scale systems should be achieved through a co-management approach that includes communities and government, and that the success of the program will largely depend on active involvement of *both* community and local government. Such revisions should also include removing language which assumes that sole responsibility for success and sustainability lies with the community.
2. Within the Guidelines, allocate to the community only those activities that are within their capacity. Allocate the remaining activities to local government and make clear that local government is obliged to carry them out. Local government obligations will include activities associated with its four minimum responsibilities as detailed in **Error! Reference source not found.**
3. Clarify the division of responsibility for particular activities between community and local government to improve accountability (i.e. remove contradiction or duplication).
4. Remove the provincial government's responsibility to support KPP in the Regular Guidelines and in its place, clarify local government's role.

6.3 POST-CONSTRUCTION FINANCING

One of the key areas KSM/KPP find challenging is sustainably financing all aspects of the ongoing operation and maintenance of communal scale systems.⁴⁶ Two of the proposed minimum local government responsibilities relate to supporting sustainable financing. The first is for local government to support the formalisation of fee setting and collection. The second is for local government to fund major maintenance costs. A legal review of local government budget expenditure on the ongoing costs of communal scale sanitation was conducted by CPRG-UKIB as part of this research and described in accompanying report.⁴⁷

Key findings from the review

Setting of cost-recovery user fees requires detailed knowledge of the expected operation and maintenance costs and the ability to develop a financial plan. Therefore, KSM/KPP are likely to find the following responsibilities challenging: *“develop a financial plan for operation and maintenance”*, *“plan the contribution amount”* and *“develop regulations to stipulate the conditions and time of payment”*. While the Guidelines include an example of fee calculation, it is lacking in guidance on how to apply this to local contexts and the assumptions vary significantly between the DAK and Regular Guidelines.

⁴⁶ Mitchell, C, Ross, K, and Abey Suriya, K. 2015. An analysis of performance data for local scale wastewater services in Indonesia. Institute for Sustainable Futures, University of Technology Sydney.

⁴⁷ AlÁfghani, M., Prayitno, E., Mills, F. and Willetts, J. (2016) Increasing Local Government Responsibility for Communal Scale Sanitation- Part 2: Using Regional Budget (APBD) to support post-construction sustainability of communal sanitation, Indonesia Infrastructure Initiative (IndII) Consultant Report.

Collecting and managing user fees are key challenges reported by KSM/KPPs due to the lack of an official fee, and because they do not have sufficient authority to collect these fees. Through the case studies it was recommended that the kelurahan support the KSM/KPP by setting the fee and grant KSM/KPPs the authority to collect them through a local decree (SK). Such a fee could be promoted to the community alongside ongoing sanitation promotion to increase the willingness to pay. Whilst management of fees is challenging for KSM/KPP, it is likely they will remain responsible for this role, since the *iuran* is locally collected so it can be directly used. As a result, ongoing education and empowerment for financial management is required, and should be inclusive of women given they are often responsible for KPP accounts and fee collection. Alternative ways of imposing fees, such as a centrally managed tariff or *retribusi* could be considered for communal scale sanitation in the future if KSM/KPP are unable to improve collection and management, particularly when other sanitation tariffs are being considered, such as tariffs for regular emptying.

Responsibility for large costs are not clearly allocated in the Guidelines. Sources for additional funds for substantial tasks such as major maintenance or rehabilitation, system expansion or retrofits and monitoring cannot be expected to come from the community. The Guidelines include some references to local government financial support for rehabilitation and to fix damages, although these do not align with the Guidelines' allocation of responsibilities. A key finding from the previous ISF-UTS research was the limited ability of local government to fund maintenance due to uncertainty regarding what budget mechanism they can legally use to support systems they do not own. This was the basis for the research⁴⁸ which found that there were provisions for local governments to provide finance for ongoing costs, but not to provide finance to cover the maintenance of assets not owned by government. The only portion of grants available requires KSM/KPP to be a legal entity, which they are typically not. The Guidelines specifically relate to communal scale sanitation. Therefore, stakeholders in the project workshops that the SANIMAS Guidelines would be a suitable source of information for local government to understand their options.

Recommendations to update the Guidelines

Aligned with the clarification of local government responsibilities discussed above, the clear division of post-construction financing between local government and community is recommended. Moving beyond the allocation of responsibility, it is recommended that the Guidelines provide the steps for KSM/KPP to access finance. It is therefore recommended that:

5. The Guidelines clarify which post-construction expenses need to be paid by local government and which need to be paid by KSM/KPP.

⁴⁸ AlÁfghani, M., Prayitno, E., Mills, F. and Willetts, J. (2016) Increasing Local Government Responsibility for Communal Scale Sanitation- Part 2: Using Regional Budget (APBD) to support post-construction sustainability of communal sanitation, Indonesia Infrastructure Initiative (IndII) Consultant Report.

6. The Guidelines provide improved guidance on how to calculate and set user fees that are suitable to local conditions and are aligned with allocated KSM/KPP responsibilities and their costs.
7. The Guidelines specify that local government is responsible for supporting KSM/KPP to set and collect user fees. Such support should include guidance on the process to increase authorisation for the collection of user fees such as through a city authorisation (i.e. regulated by a kelurahan SK); and/or provide options for alternatives to KPP collection (i.e. arrange for fees to be collected by RW/RT with other village fees or outsource fee collection to an external authority such as PDAM).
8. The Guidelines include information about appropriate budget line items and processes to follow for (i) cases where assets are owned by government and (ii) cases where assets are not owned by government.

6.4 ASSET OWNERSHIP AND KSM LEGAL STATUS

The budget expenditure review made clear that the options for financing systems owned by local government (on the local government asset register) are more straightforward when done through capital expenditure (*belanja modal*). The implications of different funding options and forms of asset ownership on post-construction financing options, and how local governments could own assets, are not included in the Guidelines.

Handover processes described in the Guidelines are limited to the handover between KSM and KPP and do not include guidance on whether or how KSM owns the asset or whether there are options to keep the asset with local government. From this research project, it is clear that many cities and stakeholders are unclear about the current status of the assets, what is handed over (management, asset and/or land) and what alternative options there are for local government to own the asset and record it on the asset register. The legality of the handover process is questionable due to the finding from previous research that very few KSM/KPPs are legal entities (required for legal land/asset handover) and the initial land transfer to KSM may not be legally binding (a *surat hibah* only).

The handover process described in **DAK Guidelines** is influenced by local governments' choice of implementation expenditure account. Local governments have the option to choose capital expenditure (*belanja modal*) in which case the local government manages the implementation and should record the asset on the SKPD's asset register. Alternatively, the implementation can be funded through Goods and Services account (*belanja barang dan jasa*) or previously, the social expenditure account (*belanja sosial*) which legally requires that the KSM be a legal entity to receive grants. The DAK Guidelines are unclear about the initial asset handover to KSM. Some stakeholders commented that they thought they must hand over the asset based on the Guidelines, but the Guidelines themselves stipulate that only management is handed over (DAK Guidelines Article 2.4.1). If this is true, the Guidelines are not clear about who owns the assets of systems funded through *belanja barang dan jasa*, particularly if the land is community owned.

The handover process described in the **Regular Guidelines** has the added complexity of provincial Satker implementing the project, whereas local government is ultimately responsible for the sanitation service. However, the role of local government is not explicitly defined in the Guidelines. The Regular SANIMAS program permits investments through goods expenditure (*Belanja barang untuk diserahkan kepada masyarakat/Pemda*) however there is an associated PU Regulation (24/PRT/M/2016) which allows funding for the system to be given to community groups (without stipulating the need for legal status). The initial asset ownership is unclear, since the local government makes the proposal request for the asset to PU Satker Provinsi, and should therefore receive the asset. However, the KSM receives the funding directly from the Provincial Satker to build the system and the guidelines state that they then hand the system, via PPK Satker Provinsi, to the KPP. It was reported that in practice the asset is handed to the local government from Satker after construction before it is handed to KPP. This process needs to be clarified, particularly in regard to the local government involvement and whether it is possible to maintain the asset on the local government's asset register and just hand management to the KPP.

The option of local government asset ownership should be enabled for local governments interested in being able to support the management and maintenance of these major assets. The advantages and disadvantages of the government or community ultimately owning the assets should be included in the Guidelines to allow local governments to make an informed choice about which mechanism best suits their situation. For systems that are not on local government asset registers, there are options for the asset to be handed back through grant or land use agreements as detailed in Section 4.2.4 of Annexe 4.

KSM/KPPs require legal status to receive government grants for rehabilitation or other major costs for the communal scale systems, and for the asset handover process to be legally binding. However, the previous ISF-UTS study found most KSMs do not have legal status. According to the expenditure review conducted as part of this project, the description in the DAK Guideline that legal status is not required for KSM to receive *belanja barang*, is not correct.

Recommendations to update the guidelines:

The following recommendations are based on a view that encourages local government asset ownership to help secure long-term sustainability as it supports the ability of local government to fund major expenditure.

10. Revise the DAK Guidelines as follows:

- a. Support local governments' ability to make informed choices about funding mechanisms by providing a clear explanation of the implications of funding choices on post-construction financing, and the benefits of implementing systems through capital expenditure (*belanja modal*) and placing systems on the asset register.
- b. Review and revise the handover process (DAK Guidelines Section 2.4.1) since it is unclear whether it applies to asset ownership or management only. Due to this lack of clarity Section 2.4.1 may not be legally binding, and it does not describe how the asset is initially owned. Whether or not the KSM owns the asset initially is dependent

on land ownership (government or community) and land transfer, and whether the KSM has legal status. These factors are not mentioned in the Guidelines and should be included in future updates.

11. Revise Regular Guidelines as follows:

- a. Review the decision made in 2016 to use goods and services expenditure (*belanja barang*) as the funding mechanism for SANIMAS Regular, and consider the benefits and any constraints of instead using capital expenditure (*belanja modal*).
- b. Review and revise the handover process (Regular Guidelines Section 5.4. As explained for DAK Guidelines above (recommendation 10), the handover from KSM to KPP is unlikely to be legally binding and there are no details on the original ownership of the asset.
- c. Change the Guidelines so that it is clear if and when local government may have the opportunity to register the asset on their asset register and detail the role of local government in the handover process, which currently is absent. Retaining the asset and handing over management only to the KSM/KPP is recommended.

The following recommendations are for consideration for both Guidelines.

12. Confirm that the need for separate entities for KSM and KPP outweighs the added legal complexity created by setting up two entities (since both require legal status).
13. Consider the potential for a city/district-level KPP legal entity representing the individual KPPs to provide a means for local governments to provide grant funding to existing local-level informal KPPs to fund large costs.
14. Provide detail in both Guidelines of how assets can be handed back to government and placed on asset register, suitable for existing communal scale systems (Annex 2 Section 4.2.4).
15. Given the importance of asset ownership, the status of all existing communal scale sanitation assets should be assessed for both Regular (by PU) and DAK (by relevant local government) programs.

6.5 GENDER CONSIDERATIONS IN THE GUIDELINES

Considering the important role of KSM/KPP within the community, it is proposed that the SANIMAS Guidelines include recommendations on how the community engagement and empowerment can increase participation of women and other disadvantaged groups within KSM, particularly in relation to leadership positions.

Additionally, the proposed increased capacity building and local government technical and social support must also consider gender needs. Training and support should recognise that women often have roles within the KSM/KPP, particularly financial administration roles. Formalising tariffs and increasing authority for collection are key areas proposed for increased government support.

CHAPTER 7: CONCLUSIONS AND LOOKING FORWARD

This report has laid out four proposed minimum responsibilities for local government to support a co-management arrangement between communities and local government. Given there are now more than 25,000 communal scale systems that have been built throughout the country, it is imperative that their sustainability is ensured.

We analysed these four minimum responsibilities in the context of two progressive local governments with commitments to adopt such responsibilities. These case studies illustrated that it is *appropriate*, *acceptable* and *feasible* for local governments to take on these responsibilities.

We also presented our recommended updates to national SANIMAS program guidelines that would support a co-management arrangement. In particular, our review pointed to the need to more clearly articulate local government's role, and to ensure local governments are provided the option to register communal scale sanitation assets on their registers. This is important if local governments are to be in a position to easily plan and fund large costs (rehabilitation, extension and retrofitting). There are currently important omissions in the Guidelines concerning asset ownership and its links with land ownership and transfers, and KSM/KPP status as a legal entity. These omissions need to be addressed. Without this, it is likely that the current confusion and lack of clarity on asset ownership will continue to limit sustainable outcomes and the adoption of the proposed local government responsibilities.

A final question in this research was the extent to which the proposed local government minimum responsibilities are *strategic*. That is, do they assist with and contribute to long-term strategies to manage sanitation. Answering this question requires broadening our perspective to consider a city-wide sanitation context. Communal scale sanitation systems are implemented primarily in urban areas, in which remaining households are served through on-site, area-based (*kawasan*) or centralised sanitation systems. Management of wastewater and sludge across these different technological scales requires coordinated action, and can be facilitated by the consolidation of expertise, financing and management experience within a single unit. Moving to the future, the establishment of city-wide tariffs and of appropriately designed desludging services will likely require greater integration of the management of different forms of sanitation services.

Looking yet further ahead, it is clear that neither onsite septic tanks, nor the anaerobic technology employed in existing communal scale systems, will be sufficient to meet wastewater discharge standards. It is likely that the introduction of secondary effluent treatment processes will need to form part of city scenarios into the future. This will require linking together existing technologies and their management. It is therefore concluded that the proposed minimum local government roles for communal sanitation are fit-for-purpose in the current environment, and will serve as a stepping stone towards greater institutional engagement and responsibility for sanitation, but may not

represent the most strategic options in the long term, when institutional management is likely to become more important.

IMPLICATIONS AND OPTIONS TO PROGRESS MINIMUM LOCAL GOVERNMENT RESPONSIBILITIES

Local governments

For local governments, Kabupaten Bantaeng and Kota Bogor offer helpful examples of how local governments can take seriously their legal obligation to ensure basic sanitation services and support the sustainability of communal scale systems. These case studies revealed the key enablers and constraints in each case.

Key enablers for Kabupaten Bantaeng to take up the proposed responsibilities included committed leadership with the vision needed to address sanitation needs, and the willingness to take strong institutional responsibility for communal scale systems. Key enablers for Kota Bogor included the sheer number of communal scale systems (almost 100 by the end of 2016) and the available technical skills and knowledge of the various stakeholders.

Key constraints for Kabupaten Bantaeng included the limited human resource capacity of UPTD, the low local budget allocations to sanitation and the need for skilled support to conduct further monitoring. By contrast, key constraints in Kota Bogor included the changes in the allocated SKPD responsible for communal scale systems, the challenging terrain and that the local government is less willing to take on asset ownership which would simplify the process for funding major ongoing costs.

Initial steps for other local governments include firstly making an assessment of the legal status of all their communal scale sanitation assets, and conducting technical, institutional and financial monitoring of their status (such as that conducted in Kabupaten Bantaeng by AKSANSI and UPTD-PAL). Based on this, existing issues that need attention can be brought to light, and relevant responses developed. Integration of the minimum local government responsibilities into relevant local regulations such as a Bupati Decree is then an important step for establishing the role of relevant SKPD/Bidang, taking into consideration the broader institutional context for city-wide sanitation service provision.

National level

To progress an increase in local government responsibility for communal scale sanitation systems, there are several steps that need to be taken at the national level.

Firstly, adoption of the proposed changes to SANIMAS Guidelines by the Ministry of Public Works would provide a clear basis for a new co-management approach. Such an approach would retain the 'community empowerment' aspect of SANIMAS and its history, and would ensure on-going institutional support to community groups managing their sanitation systems. Key in the consideration of proposed changes to SANIMAS Guidelines, is understanding how the choice of an implementation budget expenditure

account affects subsequent asset ownership. Building long-term infrastructure using capital expenditure accounts is deemed most appropriate. It will ensure assets are registered and that funding can be allocated in the future to support large costs (rehabilitation, extension and retrofitting), whilst communities can continue to undertake day-to-day management.

Secondly, adoption of the *'Guideline on ABPD budgeting for urban community-based sanitation infrastructure whose assets are not owned by the government'* (see accompanying report, Part 2) either through including this Guideline as an Annex to future SANIMAS Guidelines, or through seeking an instruction from the Ministry of Home Affairs, will ensure that local governments have access to clear guidance on how they can legitimately fund communal scale systems, in cases where government does not own the assets, and in cases when it does. Since this Guideline confirms that there are currently limited options for local governments to finance large costs for assets they do not own, the Ministry of Home Affairs should also consider including exemptions in the future Government Regulation on sanitation.

Thirdly, whilst not a focus of this research, the quality of construction and implementation has a large bearing on ongoing sustainability. This is because poor quality construction is expensive to repair, and places a financial burden on local governments and communities. In addition, when the institutional process for setting up and building capacity of KSM/KPP is inadequate, poor management results. Addressing this point requires a review of the quality of provincial and local technical facilitators, improving the quality of technical facilitation and oversight during implementation processes as well as increased accountability for post-construction audits prior to handover. Reinstating the previous requirement for a proportion of the system funding to be allocated to non-construction costs, and specifying its use for KSM/KPP capacity building or support, could be included in the guidelines. Fourthly, model Perdas used to guide the development of local regulations prescribing roles and responsibilities of local governments and citizens with regards to sanitation should explicitly include the proposed minimum local government responsibilities outlined in this report.

Finally, funding arrangements could be modified to provide incentives for local governments to commit to and demonstrate institutional support for communal scale systems. This could be done through the inclusion of criteria for accessing funds (whether it be Regular or DAK) that consider current local government budget expenditure towards the proposed minimum local government roles. Operationalising this suggestion would require improved monitoring, potentially through the actions of Bappenas in evolving NAWASIS, and the involvement of AKSANSI.

ANNEXES

ANNEXE 1: CASE STUDY METHODOLOGY

1. BACKGROUND

This section provides further details regarding the methodology used for the case studies in Kabupaten Bantaeng and Kota Bogor. As described in Chapter 2 of the main report, the purpose of these case studies was to explore the implementation of the four minimum local government responsibilities in practice.

Many of the challenges with successful ongoing operation of community scale sanitation are due to unclear and inadequately assigned governance responsibilities. While the current approach is for community based organisations (KSM/KPPs) to have responsibility for the operation and maintenance, there are important legal, institutional and equity reasons for increased local government participation and responsibility.

Previous ISF-UTS research identified that many tasks were allocated to the community for the operation and management of communal scale sanitation and that the KSM/KPP found many of these activities challenging or beyond their capacity.

Figure 11: Typical KSM capacity to manage required ongoing service delivery tasks.

Source: Mitchell et al., 2015

| Governance Dimension | Manageable tasks for KSM | Challenging tasks for KSM |
|------------------------------|--|---|
| Successful Operation | <ul style="list-style-type: none"> ✓ Flushing the system ✓ Checking pipes for cracks ✓ Planning and tracking completed O+M tasks ✓ Fixing blockages | <ul style="list-style-type: none"> • Monitoring of effluent • Major repairs and rehabilitation • Conducting biogas maintenance • Unused facilities (MCK & unconnected SSS) • De-scumming monthly • De-sludging every 2-4 years |
| Sustainable Financing | <ul style="list-style-type: none"> ✓ Keeping records of group assets | <ul style="list-style-type: none"> • Managing the treasury book & bank account • Preparing financial accountability report • Collecting user fees • Planning & budgeting for recurrent costs, major expenses, uncertainty, emergencies • Sourcing supplementary income streams |
| Sustaining Demand | <ul style="list-style-type: none"> ✓ Conducting health campaign ✓ Reminding users of their responsibilities and providing support ✓ Conducting monthly users meetings ✓ Cleaning the MCK | <ul style="list-style-type: none"> • Educating about the benefits of the system |

| Governance Dimension | Manageable tasks for KSM | Challenging tasks for KSM |
|-----------------------------|--|--|
| Effective Management | <ul style="list-style-type: none"> ✓ Paying KSM ✓ Keeping complaint recording mechanism ✓ Hosting regular management meetings | <ul style="list-style-type: none"> • Paying operator • Ensuring operator legitimacy in community |

Recognising that these activities were beyond the capacity of the KSM/KPP and that the current approach of sole community operation and management is not leading to sustainable operations, both World Bank and ISF-UTS research recommended that there be greater local government involvement.

However, it is recognised that the community plays an important role, and community empowerment remains a strong national government norm. Therefore, a co-management approach was proposed with KSM/KPP continuing to manage the daily system operation, with local government responsible for supporting the KSM/KPP in more complex tasks. Four minimum responsibilities were identified for local government to support the communal scale systems:

1. Monitor and maintain records and plan corrective action.
2. Provide technical and social support to KSM/KPP.
3. Formalise process of fee setting and collection.
4. Fund major costs (rehabilitation, extension retrofitting).

There are a wide range of options for how a local government might set up strengthened support for community-scale systems. The institutional set-up could range (in terms of budgetary and structural independence) from Dinas to UPTD to BLUD or PDAM/PDPAL. General support and monitoring functions for communal scale sanitation could be allocated to a SKPD/Dinas – or the Dinas could also have the specific task of supporting communal scale sanitation. Alternatively, an UPTD could potentially be tasked both for centralized and communal scale sanitation, or auxiliary functions of technical support to KSM. These possible institutional arrangements are considered as part of developing strategies for improved local-term management and governance of community-scale systems.

2. APPROACH TO CASE STUDIES

A case study approach was adopted to extend knowledge and understanding of the potential to shift local government roles in relation to communal scale sanitation, using consultative, participatory engagement for qualitative data collection and analysis.

Case studies were selected as the preferred approach as they enable in-depth, detailed investigation about the “how” and “why” of communal scale sanitation governance practices, within the real-world, complex context of decentralisation in Indonesia.⁴⁹ The

⁴⁹ Yin, R.K. (2014). *Case Study Research Design and Methods* (5th ed.) Thousand Oaks, CA: Sage. 282 pages.

findings were not be intended to be generalisable across the whole of Indonesia, but were intended to illustrate in detail specific challenges, barriers and opportunities for sanitation governance faced by local governments in relation to community-scale sanitation. The *unit* of the case study is the “small city” kota or kabupaten and the local government with jurisdiction over that kota or kabupaten.

2.1 CASE STUDY LOCATIONS

The two case study locations were Kota Bogor, West Java and Kabupaten Bantaeng, South Sulawesi. These locations were identified on the basis of previous research as local governments with an interest in changing and extending local government roles to support the effective ongoing operation and management of community-scale systems. Details of these two case study locations can be found in the main report Sections 4.1 and 5.1.

2.2 CASE STUDY APPROACH

The case studies included a number of components to engage with the various actors involved in communal scale sanitation both individually so they were free to express their needs and concerns, and collectively so they could work together to find a solution. The research approach for the case studies included the following components:

- i. **Document review and visit communal scale systems:** Background review of knowledge of the case study site in relation to community-scale sanitation
- ii. **First visit, participatory research co-design workshop:** This workshop was based on guidance materials developed under previous ISF-UTS research. Held in both cities in August/September, it brought together local government and community stakeholders to discuss how roles and responsibilities for management and governance are shared across local government and the community. The workshop design is detailed further below.
- iii. **Interviews:** Selected interviews were conducted with key stakeholders pre and post-workshop to better understand particular perspectives on the potential service models and proposed co-management arrangements.
- iv. **Documentation of actions to progress:** Actions that stakeholders took to improve the governance of = systems were documented and shared.
- v. **Second visit, follow-up engagement:** A follow-up visit in November involved meeting with Sekda and Pokja Sanitasi and further interviews with key stakeholders to assess progress towards a co-management approach.
- vi. **Final Workshop:** A national workshop to present the findings of the three components of the research, including presentations by both case study cities regarding their progress in co-management and key challenges.
- vii. **Report:** Drawing on the two phases of local government engagement, the report focused on (i) lessons applicable for other local governments and (ii) implications for national-level guidance.

3. CASE STUDY WORKSHOPS AND INTERVIEWS

3.1 WORKSHOP

3.1.1 Introduction

The approach used values engagement by relevant stakeholders in the research process, with an intent to prompt changes in their thinking through their involvement in the research, and to ensure the research is relevant to their work. Co-design is an emerging discipline that proactively brings together actors to address a particular problem or issue.

The purpose of the workshop was to open up new conversations about how roles and responsibilities (for various aspects of on-going operation, management, maintenance, including financing) are shared across local government actors and community, and how they might be allocated differently.

This component drew on the guidance material developed from the previous research which had been tested at a workshop in Yogyakarta in April 2016.⁵⁰ This previous workshop involved local government and KSM representatives, however since not all stakeholders from a given city were involved, it was not possible at that time to secure specific agreements to progress co-management arrangements in the relevant cities. In the current project, conducting a multi-stakeholder workshop with all relevant actors meant grounded actions were able to be discussed and decided.

3.1.2 Summary of the facilitated workshops in Kabupaten Bantaeng and Kota Bogor

The workshops were facilitated by ISF-UTS with support from AKSANSI and supported by Bappeda in each location.

Table 4 – Summary of facilitated workshop participants

| | Kabupaten Bantane | Kota Bogor |
|----------------------------------|--|---|
| Date | 27 September 2016 | 30 August 2016 |
| # Attendees | 25 total (7 women, 18 men) | 20 total (11 women, 9 men) |
| Organisations represented | Bappeda, PU, UPTD, DINKES, BAPPEDALDA, PDAM, KSMs, AKSANSI, USDP | Bappeda, Wasbangkim, UPTD, BPLH, PDAM, FKS, AKSANSI, IUWASH |

Each workshop included:

- **Presentation** on the background of communal scale sanitation governance, drawing findings from the previous research and from monitoring based on findings from visits to communal scale systems and AKSANSI monitoring data.

⁵⁰ Mitchell, C and Ross, K. 2016. How to design governance for lasting service? Explanatory notes to accompanying presentation. Prepared by the Institute for Sustainable Futures, University of Technology Sydney.

- **First Activity** to map the current allocation of activities required for the operation and maintenance of communal scale systems. Group activity that was divided between three tables with a mix of participants from the different organisations
- **Presentation** by ISF-UTS about government responsibility and co-management.
- **Second activity** explored alternative “service models” and co-management arrangements in which shifting activities away from KSM/KPP to local government were considered as an “optimal solution” to management.

3.1.3 Detail of co-design activities

First activity – governance roles

As detailed in ISF-UTS guidance materials,⁵¹ this activity was developed as a mechanism to articulate, make visible and discuss roles and responsibilities for sanitation service delivery. The activity includes a list of all tasks necessary to ensure the operation and maintenance of communal scale systems, and a list of all possible actors common to local governments in Indonesia that do or could play a role in the *operation phase*.

The first phase involved collectively mapping who currently undertakes the tasks, done through a facilitated discussion at small tables with representatives mixed across the different organizations. Once mapped, discussion was encouraged as to whether the current arrangement is acceptable and effective, followed the suggestion to explore and negotiate moving some tasks to different actors in the future.

The activity was used to explore how various stakeholders view the current delineation of roles and responsibilities, and their willingness or barriers to change.

Table 5: Example of tasks required for successful operation of local scale sanitation systems.

| Technical | Financial | Managerial | User support |
|--|--|-------------------------------------|--|
| Clean grease traps and dispose of material | Set user fee | Receive and address complaints | Extend household connections |
| Small maintenance (descum or flush) | Collect user fees | CBO monitoring | Ongoing socialisation and user education |
| Large maintenance (e.g. broken manhole) | Pay operator salary | CBO award | Conduct health campaigns |
| Unblock pipes | Manage finances (saving, accounting, forecasting,) | Provide technical support | Clean MCK |
| Asset replacement (e.g. broken pump) | Budget planning | CBO capacity development | |
| Desludging | Manage bank account | Ensure knowledge sharing among CBOs | |
| System rehabilitation | Pay electricity bill | Record keeping | |

⁵¹ Mitchell, C and Ross, K. 2016. How to design governance for lasting service? Explanatory notes to accompanying presentation. Prepared by the Institute for Sustainable Futures, University of Technology Sydney

| | | | |
|--|--|--|--|
| Effluent quality monitoring | | | |
| System quality monitoring (checking for cracks, leakage) | | | |

Table 6: Example of stakeholder roles included in the activity

| Stakeholder | Description |
|--|--|
| BAPPEDA | Local government department of planning |
| PU / Wasbangkim | Local government department of public works (infrastructure) |
| BPLH | Local government department of environment |
| DINKES | Local government department of health |
| UPTD-PAL / DKP | Technical unit within a local government department |
| Kelurahan | Urban village |
| Kepala RT (Rukun Tetangga) / Kepala RW (Rukun Warga) | Head of neighborhood group Head of citizen group |
| CBO | Community-based organization in charge of system |
| Perusahaan swasta | Private sector |
| AKSANSI | NGO supporting CBOs in operation phase |
| Other? | <Blank piece to be filled in by players/stakeholders> |

As can be seen by Figure 12 below, it was typical that the majority of activities were allocated to the KSM/KPP. This was often a surprise and typically deemed excessive for the KSM by most stakeholders engaging in the activity

Figure 12 – Example of Activity and Outputs from this activity from Kabupaten Bantaeng.



Second activity – new scenarios

Recognising the challenges associated with the current allocation of activities and that some major activities are not occurring (desludging, collecting user fees) facilitated discussions about optimal scenarios for some challenging activities were developed. The activity required each group of participants to map the communication, information and money flows between the different actors in what they perceived to be the optimal approach to conducting the following activities (see Figure 13):

- In Kota Bogor the scenarios discussed were: user fee collection, desludging, large problems/rehabilitation.
- In Kabupaten Bantaeng they were: monitoring, additional household/blackwater connections, major repairs or rehabilitation and formalization of user fees.

Figure 13 – Scenario Activity in Kabupaten Bantaeng



In developing the co-management arrangements and service models to implement the above activities, facilitators elicited reactions and feedback about why each would or would not be expected to work. The discussion highlighted what each actor found to be acceptable and feasible shifts in responsibility. Effective facilitation ensured all actors could express their view, and where possible, agreements were reached that accommodated different opinions and needs.

3.1.4 Reflections and next steps

This process was valuable in highlighting the challenges of the current arrangements for governance and management while also broadening actors' perspective about what could be perceived as possible alternatives. It was often the first time that the KSM and local government had come together and both reported on the value of understanding the others perspective. Participants commented that this approach could be useful in bringing various stakeholders together to develop solutions for other complex activities.

AKSANSI has continued to use both activities as part of KSM and AKSANSI training and has proposed to use it in meeting with local government to highlight the need for greater local government support to communal scale systems. The participation of USDP and IUWASH was strategic as they will continue to work with local government in these cities and others in next years to improve sanitation service delivery. They reported that this process was valuable for both their sanitation and solid waste management programs.

3.2 INTERVIEWS WITH KEY STAKEHOLDERS

Summary of the interviews conducted in each case study city.

| | First Visit | Second Visit |
|---------------------------|---|---|
| Kabupaten Bantaeng | Vice Mayor, Sekda, Bappeda, PU, UPTD, Bappedalda, Dinkes, visited 6 KSMs/communal systems | Meeting with Sekda and Pokja Sanitasi, follow up meetings with Bappenas, PU and UPTD. |
| Kota Bogor | Sekda, Bappeda, UPTD, Wasbangkim, PDAM, visited 2 KSMs/communal systems | Meeting with Sekda and Pokja sanitasi, follow up meeting with AKSANSI and visited 3 KSMs/communal systems |

ANNEXE 2: A - SANIMAS Recommended Updates (English)

B - SANIMAS Recommended Updates (Indonesian)

Increasing local government responsibility for communal scale sanitation

Part 1: Review of national program guidelines and two city case studies

CONSULTANT REPORT

ANNEXE 2A: SANIMAS Guidelines Review

CONTENTS

| | |
|--|----|
| 1. Introduction to review | 2 |
| 1.1 Background | 2 |
| 1.2 Approach..... | 2 |
| 1.3 Key Review criteria..... | 3 |
| 2. Allocation of responsibilities to the community and local government..... | 4 |
| 2.1 Background | 4 |
| 2.2 Review Findings..... | 4 |
| 2.2.1 Unrealistic Assumptions of community management capacity | 4 |
| 2.2.2 Allocation of responsibility greater than community capacity..... | 5 |
| 2.2.3 Government roles unclear | 7 |
| 2.3 RecommendationS..... | 8 |
| 3. Post construction financing | 9 |
| 3.1 Background | 9 |
| 3.2 Review Findings..... | 9 |
| 3.2.1 Setting of cost-recovery user fees | 9 |
| 3.2.2 Collecting and Managing user fees | 10 |
| 3.2.3 Source of additional funds for major costs..... | 11 |
| 3.3 Recommendations | 13 |
| 4. Asset ownership and KSM legal status | 13 |
| 4.1 Background | 13 |
| 4.2 Review Findings..... | 13 |
| 4.2.1 Handover processes described in the Guidelines | 14 |
| 4.2.2 DAK Asset transfer | 15 |
| 4.2.3 Regular Asset transfer..... | 16 |
| 4.2.4 Option for Local Government Asset Ownership and Asset Handback | 17 |
| 4.2.5 KSM Legal Status | 18 |
| 4.3 Recommendations | 19 |

1. Introduction

1.1 BACKGROUND

Achieving improved management and sustainability of communal scale sanitation requires evolution of the national SANIMAS Guidelines (Guidelines) to more clearly articulate and guide local government's role.¹ While the communal scale systems are implemented through several different programs, the Ministry of Public Works (PU) is responsible for all program guidelines. These Guidelines specify the set-up and ongoing operational responsibilities for these systems. As detailed in the main report, the initial set-up of the program, particularly with regards to asset ownership, was found to strongly influence the options available to local government to provide management and financial support. With some local governments willing and committed to take on greater roles, the Guidelines need to be made consistent with current and future options for management, financing and ownership and provide greater clarity on the options for local governments to support communal scale systems.

The review drew directly from findings of the previous research and lessons from the case studies and legal review, in particular considered local government's *legal responsibility* for sanitation services and the need to shift to a co-management approach between communities and local government to improve long term sustainability of these systems.

1.2 APPROACH

The aim of the review was to provide recommendations for PU to consider in the next update of the SANIMAS Guidelines in 2017, with a focus on clarifying the local government role in communal scale systems to improve long term sustainability, the options and choices available to local governments and their implications.

The scope of the review included the two main GoI funded programs, the SANIMAS Regular program (Regular²) funded by Ministry of Public works and the SANIMAS DAK SLBM program (DAK) funded through MoF. The large majority (70%) of all communal scale systems built until end 2015 were done so through DAK program, and Regular accounted for a much smaller proportion (10%).

Revisions to these Guidelines were reported to occur every 1-2 years, with the SANIMAS Regular and SANIMAS DAK Guidelines recently updated in August 2016. This review included the recent update to incorporate the changed funding mechanism from '*belanja sosial*' (social expenditure) to '*belanja barang*' (goods expenditure). Other recent changes included reducing the required local government contribution for post-construction support and separating the management for the post-construction phase to a new community based organisations (KPP).³

The review comprised the following steps:

- i. Consultation with PU including sub-directorate Satker PLP Berbasis Masyarakat and the Task force DAK SLBM PPLP Cipta Karya and other relevant stakeholders,

¹ Local government refers to Kota/Kabupaten or in Indonesian Pemda

² *Reguler* in Indonesian

³ PU personal communication, August 2016

- ii. Review of the Guidelines based on findings from previous ISF-UTS research and this project's two case study cities, and relevant input sought from PU and other stakeholders. Guidelines reviewed included:
 - Technical Guidelines and Annex SANIMAS Regular 2016 (*Petunjuk Teknis SANIMAS Regular dan Lampiran 2016*)
 - Implementation Guidelines DAK Sanitation 2016 (*Petunjuk Pelaksanaan Dana Alokasi Khusus (DAK) Bidang Infrastruktur Sub-bidang Sanitasi 2016*)
- iii. Identification of draft areas for proposed updates and submit letter to PU requesting clarification. The statements directly referenced from the two guidelines are in *italics* and referenced with the program Regular (R) or DAK (D) and the article number, for example a statement from the Regular Guidelines article 2.1, is referenced in this report as (R2.1).
- iv. Engagement with PU and National stakeholders on the proposed changes to the Guidelines through meetings with PU staff and the dissemination workshop.
- v. Documentation of agreed recommendations and outstanding challenges for consideration in 2017 review of the Guidelines.

It should be acknowledged that the timing of this review led to some limitations, as there were strong demands on PU staff time to implement the 2016 SANIMAS program within the months allocated for this review (Aug-Nov 2016). However, PU staff noted that they were undertaking an evaluation of all SANIMAS systems built through SANIMAS Regular in 2017 (including the status of assets and their handover), and that the recommendations contained in this document would be considered in subsequent 2017 revisions to the Guidelines.

1.3 KEY REVIEW CRITERIA

The following questions and criteria were the focus of the review. These areas were chosen as ones that directly influence the ability of local government to fulfil the proposed minimum local government responsibilities necessary for the sustainable operation of communal scale systems.

a) **Allocation of responsibilities:**

- Is the allocation of responsibilities consistent with government's legal responsibility for sanitation?
- Do the Guidelines support a co-management approach?
- What aspects of the Guidelines require review for local government to take on the proposed minimum responsibilities?

b) **Post construction financing** for costs beyond the capacity of the community to be provided by government to ensure systems do not rapidly depreciate in value.

- Do the Guidelines specify the local government's responsibility and mechanisms for financing major post-construction costs?
- Are the implications of asset ownership on post-construction financing clearly identified?
- For systems owned by community, do the Guidelines sufficiently detail the set-up of KSM/KPP as legal entities so they can receive government financial support?

c) **Asset ownership** influences the ultimate responsibility and options for local government to support the systems and have influence over a system that is designed for public health and environment protection.

- Is the asset ownership process clearly explained and legally binding?
- Are the options for asset ownership presented and influence of the choice on long-term management and financing clear?
- Can local government own assets to maximise ability to provide ongoing support and oversight?

2. Allocation of responsibilities to the community and local government

2.1 BACKGROUND

As detailed in the main report, previous ISF-UTS and World Bank research found increasing local government involvement and responsibility for communal scale systems could increase their long term sustainability.⁴ This previous research also found that many of the activities allocated to the KSM/KPP are beyond their technical and financial capacity. Some activities (such as monitoring) are already allocated to local government and in some cities local government have tried to support these systems (technically, institutionally or financially) however their role is unclear, and the Guidelines emphasise the community responsibility through the empowerment approach. Considering local government's legal responsibility for sanitation, this section of the review focuses on **how the Guidelines could more clearly articulate a co-management approach** where community and government are mutually responsible for management and governance.

2.2 REVIEW FINDINGS

Three key findings on the Guidelines allocation of responsibility are presented below, with the recommended updates to address them at the end of the chapter:

- i. Unrealistic assumptions of community management capacity
- ii. Allocation of responsibility greater than community capacity
- iii. Government roles unclear

2.2.1 UNREALISTIC ASSUMPTIONS OF COMMUNITY MANAGEMENT CAPACITY

SANIMAS is a community based program which uses a community-empowerment approach. This approach supports participation, particularly of low income communities, intended to encourage initiative and transparency, promote self-reliance and strengthen community capacity.⁵ The Guidelines include a number of statements that assume the community or KSM/KPP have significant technical, management and financial skills. Based on the ISF-UTS and World Bank research, these may be beyond what is feasible for the often unskilled community volunteers in low income areas. This is particularly evident as the SANIMAS program moves away from communal toilets to communal wastewater treatment with a small sewer network, for which slightly larger scale systems (skala kawasan) are managed by the government wastewater agency. The statements below regarding assumed community capacity were taken from the Regular (R) and DAK (D) Guidelines.⁶

- *“Management of infrastructure and facilities can run well if [it is] realized with a real working plan and contributions (funding) from beneficiaries as [a form of] self-reliance for sustainability. This is done to foster a sense of belonging”.* (R6.2)
- *“KSM and KPP are community representatives of users and beneficiaries, so the success of this program will largely depend on the active role of community (participation) in each phase of the*

⁴ Eales, K., Siregar, R., Febriani, E., & Blackett, I. (2013). Review of Community Managed Decentralized Wastewater Treatment Systems in Indonesia. Laporan Akhir. World Bank Water and Sanitation Program

⁵ SANIMAS Regular section 2.1

⁶ Note, where articles have been taken directly from the guidelines, they are in *italics* and reference with the article number, ie. Reference: Regular guidelines article 6.2 is (R6.2)

activities, from community preparation, socialization, planning, implementation, development, utilization and its maintenance". (R2.4.3)

- In the section on the formation of KPP and their role, the following “technical skills are necessary:
 1. Ability to make operational and maintenance plan, for example for rural irrigation by preparing the cropping layout plan and irrigation water distribution plan;
 2. Ability to learn the basic principles of built infrastructure procedures, and conduct an inventory of damages along with repair actions;
 3. Ability to prepare operational and maintenance plan and its implementation.” (R4.3)
- “Efforts to develop community-scale environmental sanitation can be done through a community-based approach. This is intended to ensure the sustainability of the management.” (D foreword)

Despite the application of the community empowerment approach to date, the previous ISF-UTS research found many of the above statements were unproven, with many systems not operating sustainably (no tariff collection, not paying ongoing costs, limited maintenance, low utilisation). When systems stop functioning, overflow or are costly to repair they can become a burden to the community or a source of conflict. Recognising that the intention of the community based approach has not demonstrated sustainable outcomes, it is time to provide greater support to the community and consider that ultimately local government is responsible for sanitation services.

2.2.2 ALLOCATION OF RESPONSIBILITY GREATER THAN COMMUNITY CAPACITY

Further to the comments above regarding expectations of the KPP for the management and operation of communal scale systems, the previous research identified both activities that were *within* community capacity, and activities that were not. The workshop activities conducted in both case study cities also highlighted the significant number of roles allocated to the KSM/KPP including roles beyond their capacity.

The following table details the number of activities that are allocated to the KSM/KPP for the ongoing operation and management of communal scale systems, and challenges documented in previous ISF-UTS research⁷

Table 1 – Activities allocated to the community in the Guidelines

| Activity | Allocated KPP / Community Responsibilities | Challenges in this role based on research evidence |
|--------------------------------|--|--|
| Planning O&M* | KPP (or community) prepare the operation and maintenance plan or standard operating procedures to implementing and managing the system. (R4.3, R6.1.3) | Requires a detailed understanding of what is required for successful operation. |
| Operate and maintenance | KPP to operate and maintain the sanitation facilities, including regularly inspecting all chambers and pipes. (R2.4.3, R4.3, R6.5.1, R6.5.2 D2.4.4, D 2.2.5) | Day to day operation is typically within KSM/KPP capacity, provided they are informed and trained. |
| Desludging* | KPP or operator to conduct/organise desludging every 2-3 years (R4.3, R6.5.2, D2.4.4) | Desludging should be conducted by the technical agency however community can organise this. They require information who to call and |

⁷ Mitchell, C, Ross, K, and Abey Suriya, K. 2015. An analysis of performance data for local scale wastewater services in Indonesia. Institute for Sustainable Futures, University of Technology Sydney.

| Activity | Allocated KPP / Community Responsibilities | Challenges in this role based on research evidence |
|------------------------------------|---|---|
| | | promotion to encourage saving fees for regular emptying. |
| Monitoring effluent* | KPP conduct effluent monitoring and take samples for analysis every 6 months (R4.3, D2.4.4) | Sampling often requires specialist equipment and training to ensure it is done safely and accurately. |
| Assess damage* | KPP to conduct an inventory of damages and prepare a maintenance and management plan with repair actions (R4.3, R6.1) KPP to conduct regular monitoring of the condition of infrastructure and service performance. (RR6.1, D 2.4.4) | Other than common damages such as blocked pipes, assessing damages and monitoring the condition requires technical knowledge of the design and expected performance. |
| Rehabilitation and repairs* | KPP to maintain facilities and perform repairs/rehabilitate if damaged. (R4.3, R6.1, D2.4.4, D2.2.5) | Minor maintenance (unblocking pipes, fixing minor pipes or damages) is feasible for KSM/KPP but major repairs or rehabilitation is beyond their technical and financial capacity. |
| Extension/connections* | KPP to develop/expand/increase the quality of service and number of house connections. (R2.4.3, R4.3, D2.4.4, D2.2.5) | System expansions which require additional pipe laying and manholes requires design and technical and financial support. |
| Promotion | KPP conduct Behaviour Clean and Healthy Lifestyle (PHBs) campaigns. (R2.4.3, R4.3, D2.4.4) | KPP can conduct promotion but are likely to require support and incentives to do so. |
| Set user fee and collection | KPP plan the contribution amount, collect contributions, book keeping, regular financial reports and source alternative funding (R4.3, D2.4.4) | KPP finds both the financial and social aspects of fee management challenging (see section 3.2) |

* These activities were found by the previous research to be challenging for the community.

These activities should be reviewed whether they are feasible responsibilities to allocate to the community and whether they can realistically be funded by the community. This and the previous research identified four local government minimum responsibilities that can improve sustainability of the systems in a co-management approach as detailed in Table 2. If this approach is to be adopted in the Guidelines, the above sections should be updated to more clearly delineate what is local government and community responsibility.

Table 2 – Example of the division of roles between KPP and local government.

| | Local government minimum role | Related KSM/KPP role |
|----|--|---|
| 1. | Monitoring and corrective action: - Monitor and maintain records of all communal scale systems including technical, institutional and financial status. - Technical agency to monitor the effluent every 6 months and report back to KPP; | Day-to-day monitoring, operation and minor maintenance: - Operational monitoring and follow-up actions (unblocking pipes etc., request for assistance for larger issues). - Adopting an operation and maintenance plan to suit agreed operator arrangements. |
| 2. | Institutional and technical support to KPP: - Provide KPP with guidance on the operation and maintenance activities required for their specific system. | - KPP to enable access to system for effluent monitoring. |

| | Local government minimum role | Related KSM/KPP role |
|----|---|--|
| | <ul style="list-style-type: none"> - Conduct the desludging, or facilitate private sector desludging, including provision of additional equipment necessary to access. - Promotion to remind the community to regularly empty and how to organise. | <ul style="list-style-type: none"> - Minor maintenance and fix damages (blocked pipes, minor pipe damages, replacing fixtures, broken connections or manhole covers). |
| 3. | <p>Fund large costs</p> <ul style="list-style-type: none"> - Technical agency assess major damage. - Major rehabilitation and repairs for damages to main pipes or outlet, structural damage, or other large expenses should be managed and financed by local government. - Technical agency to assess system capacity, designing extension and finance implementation. | <ul style="list-style-type: none"> - Request support - Request support, may contribute labour if agreed. -KPP to identify un-connected households and support promotion of connections. |
| 4. | <p>Formalise/authority fee collection:</p> <ul style="list-style-type: none"> - Support the setting of an appropriate user fee and formalise it through village rules. - Support the KPP by socializing their role to the community and the need to play. | <p>Collect fees and cover daily operation</p> <ul style="list-style-type: none"> - KPP to regularly collect fees from all users and appropriately pay for operator and management roles and minor maintenance costs. |

2.2.3 GOVERNMENT ROLES UNCLEAR

Our review found that the role of local government specified in the guidelines was not sufficiently clearly defined. The 2014 version of the Guidelines has a greater role for local government than previous versions, particularly in the table of responsibilities for the operation phase (Regular Appendix Table 1.1 and DAK Table 1.1). Other areas where responsibility has been allocated to government are shown in Table 3.

Table 3: Provincial and local government roles described in Regular and DAK Guidelines

| Regular | DAK |
|---|---|
| <p>Provincial Government</p> <p><i>Tasks and responsibilities of the provincial government include (R6.3):</i></p> <ol style="list-style-type: none"> 1. <i>KPP institutional strengthening;</i> 2. <i>Monitoring the sustainability of operations and maintenance of built SANIMAS ... and guidance to the community/KPP in facility management;</i> 3. <i>Provide input regarding issues that occur at the community level;</i> 4. <i>Provide possible technical assistance to communities/KPP related to technical issues such as, desludging from communal IPAL buildings, periodic effluent quality checks and other technical analyses related to facilities management.</i> <p>Other activities allocated to the provincial government.</p> <ul style="list-style-type: none"> - <i>Satker PLPBM to report results of SANIMAS monitoring and evaluation to Wastewater Management sub-directorate every 3 months (R2.4.1)</i> - <i>Satker PLPBM responsible for monitoring and direct survey of conditions including technical, utilization, financial and</i> | <p>Local Government:</p> <ul style="list-style-type: none"> - <i>It is expected that District/City government can play an active role in providing technical support to communities (information dissemination, penyuluhan) so that they are able to operate and utilize the existing facilities (D2.4.4)</i> - <i>The regency/city government assigned SKPD technical manager DAK to conduct guidance technical operation and also financial for KPP / manager. Local Government Support also includes for rehabilitation facilities which incurred huge damages (not operational) (D2.4.3)</i> |

| Regular | DAK |
|---|-----|
| <p><i>institutional aspects once per year and reported to Bupati or Governor. (R8.2)</i></p> <p>Local government</p> <ul style="list-style-type: none"> - <i>Operation and maintenance by the community with the assistance of the Local Government (2.2)</i> - <i>It is expected that District/City Government can actively provide guidance as well as technical support to the community (such as extension, capacity building) so that they are able to operate and utilize the existing infrastructure and facilities well. (6.1.2)</i> | |

While the inclusion of some government responsibilities is an improvement on sole community responsibility, their inclusion is not always clear. Some aspects that require revision include:

- Duplication of activities that are also allocated to the community, such as monitoring, extension and major repairs/rehabilitation (see Table 1). Allocating the same responsibility to both community and to government results in ambiguity can limit either actor being accountable.
- In the Regular Guidelines the allocation of technical responsibilities for operation and management to the provincial government, including supporting the KPP, is unrealistic. Additionally this could create conflict as sanitation is legally tasked to a local government. The local government responsibilities within the Regular Program are generally not clear.
- Use of ambiguous language to describe government’s role such as “provides” or “supports”. These words not clearly define if it is an obligation that government are accountable for or optional. These words are also ambiguous in terms of whether financial support is expected or only technical assistance.

2.3 RECOMMENDATIONS

1. Revise the Guidelines to describe that sustainability of communal scale systems can be achieved through a co-management approach that includes communities and government, and that the success of the program will largely depend on active roles of *both* community and local government. Such revisions should also include removing language that assumes sole community responsibility for success and sustainability.
2. Within the Guidelines, allocate activities to community that are within their capacity, and allocate the remaining activities to local government which are obligatory. For local government this would include allocation of activities associated with the four minimum responsibilities to local government (as detailed in Table 2).
3. Improve delineation of activities between community and local government to improve accountability (i.e. remove contradiction or duplication).
4. Remove the Provincial government’s responsibility to support KPP in the Regular Guidelines and in its place, clarify local government’s role.

3. Post construction financing

3.1 BACKGROUND

One of the key areas KSM/KPP find challenging is sustainably financing the all aspects of on-going operation and maintenance of communal scale systems.⁸ Previous research identified most KSM/KPP do not collect user fees, find collection difficult due to lack of authority and low willingness to pay, cannot cover ongoing costs such as operator salary or desludging, let alone major repairs.⁹ The main report details the proposed minimum local government responsibilities to support sustainable financing:

- a) Formalise fee setting and collection - since some community contribution to cover the ongoing operation expenses is considered both important and feasible. However, support is required for the setting of cost-recovery fees and increasing authority for the collection.
- b) Fund major costs – since the cost of major repairs, rehabilitation, system expansion/additional connections and retrofit is greater than can realistically be collected by the community.

3.2 REVIEW FINDINGS

3.2.1 SETTING OF COST-RECOVERY USER FEES

For communities to ensure ongoing operation and minor maintenance, collecting fees to recover the relevant costs is important. Calculating the appropriate amount for cost recovery is not simple for a community that has no experience with these systems. Therefore, the following statements may be beyond community capacity: *KSM and KPP develop a financial plan for operation and maintenance (R2.4.3), plan the contribution amount (R4.3 and D2.4.4) and develop regulations to stipulate the conditions and time of payment (R2.4.3).*

Improved guidance on how to calculate a cost-recovery fee based on local conditions could be provided by local government. This is also linked to the need to clarify what activities are the responsibility of KSM/KPP and government, as there is a disconnect in the Guidelines between the activities that are included in their user fee (Table 4) and the vast number of activities KSM/KPP are responsible for (Table 1). In particular, the fee described in the Guidelines does not cover monitoring effluent, major repairs and rehabilitation or extension which are allocated as KPP responsibilities elsewhere in the Guidelines.

While the user fee calculations shown in Table 4 can provide some guidance to communities in setting the fee, it varies between the Regular and DAK Guidelines and assumes a greater number of households compared with current practice (Guidelines assume about 50 households connected). Additional steps how the community can adapt this table to their local context and system would be useful.

⁸ Mitchell, C, Ross, K, and Abey Suriya, K. 2015. An analysis of performance data for local scale wastewater services in Indonesia. Institute for Sustainable Futures, University of Technology Sydney.

⁹ Mitchell, C, Abey Suriya, K, Ross K. 2016. A review and comparative analysis of indicative service costs for different sanitation service scales in Indonesia. Institute for Sustainable Futures, University of Technology Sydney.

Table 4 – Proposed user fee costs from Guidelines

| System | MCK | | IPAL communal | |
|---------------------|----------------------|-------------------------|------------------|------------------|
| | Regular (R6.5.1) | DAK (D3.2.1.1) | Regular (R6.5.2) | DAK (D3.2.1.2) |
| Operator | 400,000 | 200,000 | 300,000 | 100,000 |
| Electricity | 120,000 | 100,000 | | |
| Equipment/ material | 65,000 | 40,000 | | |
| Desludging /2yr | 400,000 | 250,000 | 600,000 | 500,000 |
| Repairs | 250,000/yr | 100,000/yr | 70,000 | 50,000 |
| Total/mth | 622,000 | 359,000 | 395,000 | 171,000 |
| Households | 7-27 | 13-66 | 150 | 75 |
| Fee IDR/hh | 750-3,000/day | 2,000-10,000/day | 2,633/mth | 2,280/mth |

As discussed in the main report, KSM/KPP have requested for support to increase fee collection and a mechanism to increase the authority of fee setting and collection.

3.2.2 COLLECTING AND MANAGING USER FEES

From the case studies and previous ISF-UTS research, collection is difficult due lack of a set fee, low authority to collect, low perceived need to collect by KPP or need to pay by community. In addition to the assumed capacity for setting the user fee, the following responsibilities are allocated to the KPP to manage the user fees:

- Collect contributions record and report regularly to members/beneficiaries and village/kelurahan administration (R2.4.3, R4.3, D2.2.5)
- Book-keeping money in/ out and make financial reports on a regular basis. (R4.3, D2.4.4)
- Find funding sources outside of beneficiaries community contributions (R4.3, D2.4.4)

From the previous ISF-UTS research, the above activities were reported to be challenging. In addition, without sufficient upfront and ongoing training, the above activities are likely to be beyond the capacity of the KSM/KPP. From the case studies it was also recommended that fee collection could be improved by RW/Kelurahan supporting the KPP’s authority to collect through a local decree (Surat Keputusan) stating their responsibility and promoted to the community alongside ongoing sanitation promotion to increase the willingness to pay. Ongoing support to KSM/KPP should be allocated to an appropriate local government department or Kelurahan.

The alternative to building KPP capacity is to consider alternative mechanisms for fee collection by existing authorities or paired with services that can be sanctioned if not paid (i.e. it is not possible to turn off wastewater treatment like it is for electricity or water). In cases where community have insufficient authority to ensure regular collection, alternative mechanisms for collection could be mentioned in the Guidelines, such as RW/RT collection with other community fees, Kelurahan collection, the wastewater agency collecting or other agencies such as water or electricity. The mechanism to return the money to the community for operating costs would need to be determined. As citywide tariffs for FSM are being investigated in some cities, the overlap with these fees in areas with communal scale systems needs to be considered.

3.2.3 SOURCE OF ADDITIONAL FUNDS FOR MAJOR COSTS

From the national workshop and case study cities, there was a consensus that the community should not be required to cover major costs for repairs, rehabilitation, extension or retrofit, particularly in low income areas. The Guidelines include some references to local government responsibility for providing post-construction financial support:

- Regular Guidelines allocates APBD Kab/Kota as the main source of funding for rehabilitation and replication and as the support source of funding for desludging, effluent check and regular operation and maintenance (see Regular Guidelines Table 1.1). However, in the DAK Guidelines only O&M training costs are allocated to government, the other costs are the responsibility of the community.
- *Role of local government is expected to continue its assistance in the maintenance phase. Form of guidance and assistance given can be in the form of technical and/or funding assistance. (R6.3)*
- *Local Government can provide assistance to KPP sourced from the regional budget (APBD) as outlined in the Regional Regulation, where this is adapted to the capabilities of each region. (R6.3) (Note previous Guidelines required a 10% local government contribution).*
- *Possibility for the KPP managers to seek funding outside of user fees, including government assistance given in the form of technical assistance and/or financial assistance related which is large enough, such as facility rehabilitation. (R6.3)*
- *The regency/city government technical SKPD manager of DAK to provide technical and financial guidance to the KSM/KPP. Local Government Support is also included for the rehabilitation of facilities which are severely damaged (not operational). (D2.4.3.e)*
- *If KPP will manage funds from other parties the KPP must be a legal entity (R2.4.3) (This statement implies government funding).*
- *As part of the asset transfer “The Village Head/Lurah makes a statement letter regarding the readiness to budget operational and maintenance costs from the village fund” (This statement implies that in urban areas, Kelurahan would provide funds) (R5.4)*

Further clarification regarding the specific items government should be responsible to fund could be included in the Guidelines, and the Guidelines should be clear in making this responsibility obligatory for local government rather than ambiguous or optional. More importantly, based on findings from the previous research and case studies, guidance is needed to clarify which budget mechanisms local government can legitimately use. While some local governments are willing to support major ongoing expenses for communal scale systems, since the majority of these systems are not government owned, the local government staff were found to be uncertain what budget items they could use and feared legal sanction for incorrect use of funds.

A legal review of local government budget expenditure for the ongoing costs of communal scale sanitation was conducted by CPRG-UKIB as part of this research.¹⁰ This review found the following budget items can be legally used for the associated expenditure:

Table 5 – Budget items for assets OWNED by local government (on local government asset register)

| Expenditure Account | Use |
|---------------------------|---|
| Direct Expenditure | |
| Employee expenditure | Honorarium to operate certain program. For example: meeting honorarium, honorarium as KSM operator, etc |

¹⁰ Mohamad Mova AlÁfghani 2016 “Using Regional Budget (APBD) to support Post Construction of Community Scale Sanitation Systems”, Bogor, Indonesia.

| | |
|--|---|
| Goods and Service expenditure | Can be used to pay for pipes and paints, equipment, consumables, etc. <i>Note: It can also be used for maintenance. The budgeting can be done in SKPD and Kelurahan level.</i> |
| Capital expenditure | To fund procurement of infrastructure and repairs in large scale. |
| Indirect Expenditure | |
| Employee Expenditure | It is used to pay for employee who works in Dinas/UTPD whose task is to maintain communal sanitation. |
| Subsidy, Grant and Social Assistance Expenditure | <i>Not necessary</i> |

Table 6 – Budget items for assets NOT OWNED by local government

| Expenditure account | Use |
|-------------------------------|--|
| Direct Expenditure | |
| Employee Expenditure | Honorarium to implement certain programs and activities. For example: meeting honorarium, honorarium for KSM operator, etc. |
| Goods and Service Expenditure | Object of goods and service expenditure that is transferred to community is called “goods grant”. The procedure follows grant procedure which needs to be preceded by submitting proposal and verification. Therefore, it requires KSM to be a legal entity. In addition, incentive for a community accomplishment can also be given from this expenditure account. However it should be noted that this incentive is different from grant. |
| Capital Expenditure | Purchasing and big maintenance of government asset/SKPD which has use value of more than 12 months. It can be in the form of vehicles (desludging) or other fixed asset. |
| Indirect Expenditure | |
| Employee Expenditure | It is used to pay for employee who works in Dinas/UPTD whose task is to maintain communal sanitation. |
| Subsidy Expenditure | It can be used to subsidize a part of KSM cost. However, it can be difficult in practice as it requires pre-audit and post-audit. KSM must have a clear structure of unit cost and must have a good financial statement. |
| Hibah Expenditure | It is called as monetary grant. It can be used to finance incidental cost. However it must be preceded with proposal and verification. KSM must also obtain a legal entity status. |
| Social Assistance Expenditure | This can only be used if there is a social, economic, political disaster or natural phenomenon and the condition is unstable. |

Based on the above review findings, it would be beneficial to update the SANIMAS Guidelines to include the budget items and funding mechanisms confirmed to be acceptable by Ministry of Public Works and Ministry of Home Affairs. Linked with the clarification of local government responsibility for funding major costs, including such guidance would provide clear and legal mechanisms for funding to occur.

In addition to the budget items to use, it is also important to clarify how to link the funding with the demand. The guidelines could include the process of identifying items that require major funding

which is linked to the proposed allocation of responsibility for monitoring to local government but also include steps for prioritising investment and writing proposals.

It is also clear that the asset ownership and KSM/KPP legal entity status are influential in the ability to fund major costs from local government budget, these are detailed in chapter 4 below.

3.3 RECOMMENDATIONS

Aligned with the clarification of local government responsibilities discussed earlier in Section 2, the clear division of post-construction financing between local government and community is recommended. Moving beyond the allocation of responsibility, it is recommended that the Guidelines then provide the steps to access the financing. It is therefore recommended that:

5. The Guidelines clarify which post-construction financing needs will be addressed by local government and which by KSM/KPP.
6. The Guidelines provide improved guidance on how to calculate and set user fees suitable to local conditions and aligned with allocated KSM/KPP responsibilities and their costs.
7. The Guidelines specify a minimum local government responsibility to support KSM/KPP to set and collect user fees. Such support should include: how to increase authorisation of user fees through providing guidance for obtaining village or city authorisation (i.e. regulated by a Kelurahan SK); and/or provide options for alternatives to KPP collection (i.e. collected by RW/RT with other village fees or outsourced to an external authority such as PDAM).
8. The Guidelines include information about appropriate budget line items and processes to follow for (i) cases where assets are owned by government and (ii) cases where assets are not owned by government.

4. Asset ownership and KSM legal status

4.1 BACKGROUND

The budget expenditure review described in Section 3.2.3 above made clear that the options for financing systems owned by local government (on local government asset register) are more straight forward when done through capital expenditure (belanja modal). For assets not owned by local government, where it is not appropriate to use this budget line, grants (belanja hibah) are the only feasible option for large costs. However, such grants cannot be given every year and use of this expenditure line requires the KSM/KPP to have legal status. This makes options for local government to fund large costs for systems it does not own extremely difficult, if not impossible.

The current status of asset ownership is often unclear and is influenced by the program (DAK or Regular), the budget item used to fund implementation, the land ownership and whether the asset transfer processes were complete and legally binding. This section details how the Guidelines could be updated to explain the implications of different funding options and asset ownership on post-construction financing options and provide examples how local governments could own assets to allow them greater control over the long term operation and sustainability.

4.2 REVIEW FINDINGS

The SANIMAS Guidelines do not sufficiently address the legal issues concerning asset ownership. The lack of information in the Guidelines about asset ownership has led to significant confusion

amongst stakeholders as to whether ‘assets’ are handed over or just ‘management’ of the asset, and confusion about who, if anyone, ultimately owns the communal scale systems. This issue is significant given the major implications of asset ownership for funding future maintenance.

In this section, the following aspects are described:

1. Extent of handover detailed in the guidelines
2. DAK program asset transfer
3. Regular program asset transfer
4. Option for local government asset ownership and asset handback
5. KSM Legal Status

4.2.1 HANDOVER PROCESSES DESCRIBED IN THE GUIDELINES

At present the Guidelines for both DAK and Regular only specify a handover process from KSM to KPP, however do not provide any information about the previous step concerning if or how KSM initially owns the asset or whether there are options to keep the asset with local government. The Regular and DAK programs are implemented through different funding sources and different actors, as described in section 4.2.2 and 4.2.3. Both Guidelines include a similar process for the handover between KSM to KPP, however for the DAK program it is unclear in the translation whether only management is handed to the KPP or also the infrastructure.

Table 7 – Handover process from KSM to KPP included in Guidelines

| | Regular Guidelines (5.4) | DAK Guidelines (2.4.1) |
|------------|--|--|
| Transfer 1 | <i>Handover of sanitation facilities by KSM handed over to PPK of Provincial PSPLP Satker as the assignor and informed to the Village Head/Lurah;</i> | <i>Handover of work from the head of KSM to District/City PPK with the knowledge of SKPD and Head of Village/Lurah)</i> |
| Transfer 2 | <i>Handover of sanitation infrastructure and facilities from PPK of Provincial PSPLP Satker to community through KPP to be managed. Handover with minutes and KPP readiness and informed to Village Head/Lurah who then makes a letter regarding readiness to fund O&M from village fund.</i> | <i>District/City PPK will handover the management of the sanitation facility and infrastructure to KPP to be managed.</i> |

PPK - Pejabat Pembuat Komitmen (Committing officer responsible for procurement)

Based on the findings from the previous research¹¹, this process is unlikely to be legally binding due to:

- a) The initial asset ownership by KSM may not be legally binding. The previous research found the land ownership was typically a letter of grant (surat hibah) which is not the legal land transfer process of a notarial deed (Akta Hibah) and registration at the land office. Therefore the land may still belong to the original owner rather than the KSM. For asset transfer to be legally binding both the asset *and land* must be owned by the same entity (KSM or KPP) and therefore an additional process to transfer land as well as asset from KSM and KPP would also be required.

¹¹ Al’Afghani, MM, Paramita, D, Mitchell, C, Ross, K 2015. Review of Regulatory Framework for Local Scale “Air Limbah”. Prepared by the Center for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor and Institute for Sustainable Futures, UTS

- b) The transfer process detailed above is unlikely to be legally binding since for a transfer to be legally sound all parties must be government or legal entities, and typically the KSM or KPP are not legal entities;
- c) Land and building assets transferred to government should be certified (ownership name changed to government) and recorded on asset register. Since this process appears to be for reporting purposes and found to be done on the same day, it is unlikely the above asset inventorying occurs and therefore no actual legal transfer ever took place.

The DAK and Regular programs are funded through different mechanisms which affect the asset ownership, therefore the following sections are detailed for each funding program.

4.2.2 DAK ASSET TRANSFER

The following table details the DAK asset transfer options as determined from the interviews with both national and local government stakeholders and review of guidance material. The discussions highlighted that the process is not clearly understood.

Table 8 – SANIMAS DAK Asset transfer options

| Implementation funding | Belanja Modal (Capital Expenditure) | Belanja barang dan jasa (Goods and Services) | Belanja sosial (Social Expenditure) |
|--|---|--|-------------------------------------|
| KSM legal status required or not | Not applicable | Guidelines mention KSM does not need to be legal entity. However, this is incorrect, as since it requires a grant (hibah) mechanism, requests can only be made by a legal entity | Yes, KSM legal status required |
| Initial Asset ownership | Initially by local government asset if properly recorded on the SKPD’s asset register (If it is not recorded it does not “belong”). | Assumed to be owned KSM however it is unclear whether KSM can legally own the asset if it is not a legal entity, and also due to the land transfer typically not being legally binding (only a grant letter). | |
| Post-construction asset ownership | Either the local government can continue to own the asset (as occurs in some locations) or can hand it over to KPP, however KPP would need to have legal status. | KSM could handover to KPP through PKK as indicated by the Guidelines. However this process is unlikely to be legally binding for the reasons described above in Section 4.2.1. The asset could be granted to local government as detailed below. | |
| Influence of land ownership | If the asset is built on community land, there is a risk of community selling the land. Government could create a notarized land use agreement with the land owner (see below). ¹² | If government was to ultimately own the asset, if it was on community land it would require a notarized land use agreement. | |

¹² Al’Afghani, MM, Paramita, D, Mitchell, C, Ross, K 2015. Review of Regulatory Framework for Local Scale “Air Limbah”. Prepared by the Center for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor and Institute for Sustainable Futures, UTS

From the previous research and case studies, some local governments perceive that the asset *must* be handed over to the community. This may stem from the National Policy on Community Based Water and Sanitation 2003, which stipulates the assets should be owned by “masyarakat”. However the DAK guidelines appear to only require that the management is handed over to the KPP:

- SKPD as head PPK Sanitation shall grant/hand over the management of the said sanitation ... infrastructure to KPP (CBO), to be operationalized and for its sustainability (D1.8).
- District/City PPK will handover the **management** of the sanitation facility and infrastructure to KPP to be managed (D2.4.1)

If only the management is intended to be handed over, and not the asset, then use of the capital expenditure item (*belanja modal*) appears appropriate. The other option commonly used is ‘belanja barang’ however this is problematic both since the KSM are not typically legal entities and the asset is not on the government asset register, which limits local government’s ability to fund maintenance in the future. In addition, the previous ISF-UTS Legal Review found that “Goods that are meant to be transferred to third parties or community **should not** be categorized as capital expenditure and should be categorized as goods and services expenditure to be transferred to masyarakat/third parties. Goods/assets which are categorized under capital expenditure but are then transferred to the “masyarakat” have, in practice, triggered corruption investigation.”¹³

4.2.3 REGULAR ASSET TRANSFER

The following table details the Regular asset transfer options as determined from the interviews with both national and local government stakeholders, comments by the provincial Satker at the final workshop and review of guidance material. The involvement of local government in the process is particularly unclear. It was reported that the asset transfer process can take 2-3 years as it is often packaged with other major assets. PU is currently collecting data on the status of all the assets built through Provincial satker since 2006.

Table 9 – SANIMAS Regular Asset transfer options

| Implementation funding | Belanja Barang Untuk Diserahkan Kepada Masyarakat/ Pemda (Goods expenditure for assets handed over to community/government) |
|--|--|
| KSM legal status required or not | Based on PU Ministerial Regulation No. 24/PRT/M/2016 on government support budget implementation mechanisms the government assistance can be given based on proposal from community groups. Therefore the KSM is not required to be a legal entity. |
| Initial Asset ownership | The initial asset ownership is unclear, since the original proposal request for the asset was reported to come from local government to the Provincial Satker, therefore local government should receive the asset. However the KSM directly receives the funding from the Provincial Satker to build the system. It is therefore unclear whether KSM own it at this stage or are building it on behalf of provincial government to then hand to local government. This area requires further clarification. |
| Post-construction asset ownership | Although the Guidelines indicate that the handover is from KSM to PPK Satker Provincial and to KPP, it was reported by PU National and Provincial representatives that the PPK Satker Provincial first hands the asset to local government first, before it is handed to KPP. |

¹³ Al’Afghani, MM, Paramita, D, Mitchell, C, Ross, K 2015. Review of Regulatory Framework for Local Scale “Air Limbah”. Prepared by the Center for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor and Institute for Sustainable Futures, UTS

| | |
|------------------------------------|--|
| | PU indicated they are conducting a survey of all assets built by Satker Provincial since 2006 to understand whether they are still on Provincial Satker asset register or whether they are handed over to the community. It was reported that they often handover community assets with a number of larger assets at one time, often some time/years after construction. If this is the case, it is unlikely that they then hand it over to KPP (some time after construction) and the asset may still be with government. |
| Influence of land ownership | Although most communal scale system assets are built on community land it is now possible for these systems to be built on government land. PU representatives stated that <i>“if the system is built on government land, the asset is owned by government and if it is on community land it is owned by community”</i> However this is not detailed in the Guidelines. |

Capital expenditure (Belanja modal) is not presently used in SANIMAS Regular and it is unclear whether it can be used as a means to simplify asset transfer and allow local government to own the assets. The potential to fund Sanimas Regular through capital expenditure, the normal funding mechanism for large infrastructure investment, needs to be explored. Review of the most appropriate funding mechanism should consider the benefits and risks assessed in the light of the long-term implications for sustainability, and with a view to enable community and local government to play their respective roles. It would appear that under current arrangements, using ‘goods and services’ expenditure limits these roles.

4.2.4 OPTION FOR LOCAL GOVERNMENT ASSET OWNERSHIP AND ASSET HANDBACK

Due the influence of ongoing financial support and management of communal scale systems, the asset ownership process should be clarified and the status of existing assets should be assessed for both Regular and DAK programs.

The advantages and disadvantages of government or community ultimately owning the asset should be included in the Guidelines to allow local governments to make an informed choice about which mechanisms best suit their situation. Some of the perceived benefits and risks of community and local government asset ownership are shown below (see Table 10).

Table 10 – Benefits and Risks of Community and Government Asset ownership

| | Community Owns Asset | Government Owns Asset |
|-----------------|---|--|
| Benefits | <ul style="list-style-type: none"> Community able to retain full control (in the case that they want to) | <ul style="list-style-type: none"> Fund major costs through belanja modal. Formal institution responsible for a significant asset – capacity to sustain asset in long term. Can integrate community scale system into citywide services |
| Risks | <ul style="list-style-type: none"> Major maintenance and expansion is complex and costly, however there will be limited community access to government funds, especially if KPP is not a legal entity in which case there is no access. Most systems not legally owned. | <ul style="list-style-type: none"> Potential (unproven) to reduce community engagement in looking after the asset. Requires land utilization agreement or government to own the land. |

If a local government decides it wants to own the asset which is not on government land in order to have greater ability to manage and finance the maintenance and manage the potential risk of

community selling the land, the following options exist for the asset to be handed back to local government:

For systems on government land

- i. First grant letter (Surat hibah) cancelled.
- ii. Created Grant Agreement letter (Surat Perjanjian Hibah).
- iii. Land owners makes a waiver (in the case of land rights).
- iv. Land inventoried as government owned. Building inventoried as government asset.

For systems on community land

- i. Make a preliminary agreement with the land owner about the land use (notarized)
- ii. A) Option Izin Mendirikan Bangunan (“IMB”): Bring the above agreement to be IMB registered on behalf of the government
 B) Options Hak Guna Bangunan (“HGB”) and IMB (Not for assets defined as buildings, could be underground IPAL): Make Deed Granting HGB of Property (Notary); File the HGB application with the land agency (BPN); Register HGB assets into the local government asset register.
 C) Option Proof of building ownership or SBKBG (for underground assets). However not all governments have issues the SBKBG.

The alternative option of government purchasing land was reported as a difficult and long processes for systems funded through *belanja barang* as it would require lengthy approval before parliament. It should be noted that these processes are more complex than if *belanja modal* was used and the asset remains on government asset register.

4.2.5 KSM LEGAL STATUS

As described in section 0, often government grants can only be given to a legal entity and they must have been registered for 3 years prior to receiving funding.¹⁴ Additionally, if the initial asset transfer from KSM to PPK to KPP is to be legally binding, all parties must be legal entities.

UTS-ISF research found very few KSM/KPPs were legal entities and the process can cost up to IDR5 million. It is not clear whether this expense can be part of the project inception, since some stakeholders report that funding is only for materials that community cannot provide themselves and funding legal costs means a departure from the idea of community empowerment.

The requirement for KSM/KPPs to have legal status is included differently in the two guidelines (shown in Table 11). As mentioned earlier in Section 4.2.1, the statement in the DAK Guideline that KSM does not need to be a legal entity to receive *belanja barang* is not correct, as the funding mechanism for *belanja barang* is through grants.

Table 11 – Legal Status requirements for KSM/KPP

| Guide | KSM | KPP* |
|---------|---|---|
| Regular | Should have statutes and by-laws (Anggaran Dasar and Anggaran Rumah Tangga) but not required to have legal status. (R4.1) | If KPP will manage funds from other parties they must have legal status/ shall be a legal entity (R2.4.3, R4.3) |

¹⁴ AlÁfghani, M., Prayitno, E., Mills, F. and Willetts, J. (2016) Increasing Local Government Responsibility for Communal Scale Sanitation- Part 2: Using Regional Budget (APBD) to support post-construction sustainability of communal sanitation, Indonesia Infrastructure Initiative (IndII) Consultant Report.

| | | |
|------------|---|---|
| DAK | <p>If DAK is allocated through hibah or belanja sosial the beneficiary KSM must be a legal entity. If belanja modal or belanja barang are used a KSM does not need to be a legal entity and instead formalised through SK (surat keputusan kades/lurah setempat) and can be legally notarised. (D2.2.4)</p> | <p>KPP required to have AD/ART and a notary act. It is advised KPP acquire legal status. (D2.2.5)</p> |
|------------|---|---|

* This does not include the requirement that KPP must be a legal entity if they are to receive the assets/land.

The alternative option to every KSM and KPP acquiring the status of legal entity would be to create one legal entity in the City/District which represents and consists of the individual KSM. This association could then apply for and receive funding to be used by the individual KSM/KPPs, however would require strong skills, management and accountabilities to all stakeholders (local governments and KSM/KPPs).

4.3 RECOMMENDATIONS

The following two recommendations are based on a view that encourages local government asset ownership. Ownership of assets would help secure long-term sustainability, as it supports the ability of local government to fund major maintenance, rehabilitation and extensions, which will inevitably be needed for all communal scale systems. Also, the current Guidelines (both Regular and DAK Guidelines) describe ‘handover’ processes that do not include important aspects of asset ownership, such as land ownership and its transfer, and the importance of legal entities. This is a major omission, given the importance of asset ownership in ensuring sustainable operation of the asset.

10. Revise the DAK Guidelines as follows:

- a. Support local governments’ informed choice on funding mechanism: In the Guidelines, provide clear explanation of the implications for post-construction financing depending on the chosen expenditure account. Explain that if the capital expenditure account (*belanja modal*) is used, then the asset should be placed on the asset register, and local government will be in a position to easily fund larger costs in the future. Also explain that if goods and services expenditure (*belanja barang*) is used, options to fund large costs in the future are limited, and KSM/KPP must be legal entities to request financial support from government. Also, revise inaccuracy in DAK Guidelines Section 2.2.4 to make clear that KSM must be a legal entity to receive *belanja barang*, since KSM must make a request through a grant (*hibah*) process.
- b. Review and revise the handover process (DAK Guidelines Section 2.4.1):
 - The proposed handover process from KSM to local government to KPP is unlikely to be legally binding. It is critical to include description of who owns the asset initially, since it is not clear if or how KSM come to ‘own’ the asset (as assumed in the Guidelines) and can even be in a position to ‘handover’ the asset. Whether or not the KSM owns the asset initially is dependent on land ownership (government or community), land transfer and whether the KSM has legal status. However, at present none of these aspects are mentioned in the Guidelines and they should be added to future updates to the Guidelines.
 - Clarify whether the handover described in Section 2.4.1 from local government to KPP is management only, or the asset also, as this is currently ambiguous.

We recommend that *management only* is handed over, and that the asset is retained by local government on the asset register.

11. Revise Regular Guidelines as follows:

- a. Review the choice made in 2016 to use goods and services expenditure (*belanja barang*) as the funding mechanism for SANIMAS Regular, and consider the benefits and any constraints to instead using capital expenditure (*belanja modal*). Use of capital expenditure would better support local government asset ownership, and better reflects the nature of the funding, which is for large-scale infrastructure intended to operate over a long period.
- b. Review and revise the handover process (Regular Guidelines Section 5.4):
 - The proposed handover process from KSM to Provincial PPK to KPP is complex and unlikely to be legally binding. It is critical to include description of who owns the asset initially, since it is not clear if or how KSM come to 'own' the asset (as assumed in the Guidelines) and can even be in a position to 'handover' the asset. Whether or not the KSM owns the asset initially is dependent on land ownership (government or community), the land transfer process and whether the KSM has legal status. However, at present none of these aspects are mentioned in the Guidelines.
 - In addition, updates to the Guidelines should clarify if and when local government may have opportunity to register the asset on their asset register. The absence of any detail in the Guidelines about local government's role in handover processes-- despite the original proposal request for Sanimas Regular systems being formally submitted by local government to PU Provincial Satker-- is a significant omission that needs to be redressed.
 - We recommend that *management only* is handed over to KPP, and that option is provided for the asset to be retained on their asset register.

The following further recommendations are important areas for consideration for both the SANIMAS DAK and Regular Guidelines going forward, as they could help overcome current problematic aspects of the ongoing management of communal scale sanitation systems.

12. Confirm the need for separate entities for KSM and KPP outweighs added legal complexity created by setting up two entities (since in order to properly undertake their current prescribed roles, both entities need to be legal status).
13. Consider the potential for a city/district level KPP legal entity representing the individual KPPs to provide a means for local governments to provide grant funding to existing local-level informal KPPs to fund large costs. This could overcome the current constraint that KPP cannot request funds as they are rarely legal entities and in cities with many KPPs it is both impractical and costly for all to become legal entities.
14. Provide detail in both Guidelines of how assets can be handed back to government and placed on asset register (as described in Section 4.2.4). This could be used for existing systems.
15. Given the importance of asset ownership, the status of all existing communal scale sanitation assets should be assessed for both Regular (by PU) and DAK (by relevant local government) programs. This information can then be used to complete asset transfer processes and to undertake relevant planning for financing large costs (rehabilitation, extension and retrofitting) of these systems.

Increasing local government responsibility for communal scale sanitation

Part 1: Review of national program guidelines and two city case studies

CONSULTANT REPORT

LAMPIRAN 2B: Tinjauan Panduan SANIMAS

DAFTAR ISI

| | |
|--|----|
| 1. Pengantar tinjauan..... | 2 |
| 1.1 LATAR BELAKANG..... | 2 |
| 1.2 PENDEKATAN | 2 |
| 1.3 KRITERIA UTAMA TINJAUAN | 3 |
| 2. Alokasi tanggung jawab | 4 |
| 2.1 LATAR BELAKANG..... | 4 |
| 2.2 TEMUAN TINJAUAN | 4 |
| 2.2.1 ASUMSI YANG TIDAK REALISTIS TENTANG KEMAMPUAN MASYARAKAT UNTUK MENGELOLA | 4 |
| 2.2.2 ALOKASI TANGGUNG JAWAB YANG MELEBIHI KAPASITAS MASYARAKAT | 5 |
| 2.2.3 PERAN PEMERINTAH TIDAK JELAS | 8 |
| 2.3 REKOMENDASI | 9 |
| 3. Pembiayaan pasca konstruksi | 10 |
| 3.1 LATAR BELAKANG..... | 10 |
| 3.2 TEMUAN TINJAUAN | 10 |
| 3.2.1 PENETAPAN IURAN PENGGUNA UNTUK PEMULIHAN BIAYA | 10 |
| 3.2.2 MEMUNGUT DAN MENGELOLA IURAN PENGGUNA | 11 |
| 3.2.3 SUMBER DANA TAMBAHAN UNTUK BIAYA BESAR | 12 |
| 3.3 REKOMENDASI | 14 |
| 4. Kepemilikan aset dan status hukum KSM..... | 15 |
| 4.1 LATAR BELAKANG..... | 15 |
| 4.2 TEMUAN HASIL TINJAUAN | 15 |
| 4.2.1 PROSES SERAH TERIMA SEBAGAIMANA DIJELASKAN DALAM PANDUAN | 15 |
| 4.2.2 TRANSFER ASET DAK | 16 |
| 4.2.3 TRANSFER ASET Reguler | 18 |
| 4.2.4 OPSI BAGI KEPEMILIKAN ASET PEMERINTAH DAERAH DAN PENYERAHAN KEMBALI ASET | 19 |
| 4.2.5 STATUS HUKUM KSM | 20 |
| 4.3 REKOMENDASI | 21 |

1. Pengantar tinjauan

1.1 LATAR BELAKANG

Mewujudkan pengelolaan dan keberlanjutan sanitasi skala komunal yang lebih baik membutuhkan adanya perubahan pada Panduan SANIMAS nasional (Panduan) agar dapat lebih baik menjelaskan dan memandu peran pemerintah daerah.¹ Walaupun sistem skala komunal diselenggarakan melalui beberapa program berbeda, Kementerian Pekerjaan Umum (PU) bertanggung jawab atas semua panduan program. Panduan ini menentukan pengaturan dan tanggung jawab operasional untuk sistem-sistem ini. Seperti yang dijelaskan dalam laporan utama, pengaturan awal program ini, khususnya terkait kepemilikan aset, ditemukan sangat menentukan pilihan yang tersedia bagi pemerintah daerah untuk memberikan dukungan pengelolaan dan keuangan. Dengan adanya beberapa pemerintah daerah yang bersedia dan berkomitmen untuk mengambil peran yang lebih besar, Panduan_Panduan ini perlu dibuat agar konsisten dengan pilihan saat ini dan masa mendatang dalam hal pengelolaan, pembiayaan dan kepemilikan dan memberikan kejelasan yang lebih baik tentang pilihan bagi pemerintah daerah untuk mendukung sistem skala komunal.

Tinjauan ini secara langsung memanfaatkan temuan dari penelitian sebelumnya dan pembelajaran dari studi-studi kasus dan tinjauan hukum, dan secara khusus mempertimbangkan *tanggung jawab hukum* pemerintah daerah atas layanan sanitasi dan perlunya beralih ke pendekatan pengelolaan bersama (*co-management*) antara masyarakat dan pemerintah daerah untuk meningkatkan keberlanjutan jangka panjang sistem ini.

1.2 PENDEKATAN

Tujuan tinjauan ini adalah untuk memberikan rekomendasi bagi Kementerian Pekerjaan Umum dan Perumahan Rakyat (Kemen PUPR) untuk mempertimbangkan dalam pembaruan Panduan SANIMAS berikutnya pada tahun 2017 pilihan yang tersedia bagi pemerintah daerah dan implikasinya, dengan fokus untuk mengklarifikasi peran pemerintah daerah dalam sistem skala komunal untuk meningkatkan keberlanjutan jangka panjang.

Lingkup tinjauan mencakup dua program utama yang didanai Pemerintah, yakni program SANIMAS Reguler (Reguler²) yang didanai oleh Kementerian PUPR dan program SANIMAS DAK SLBM (DAK) yang didanai melalui Kementerian Keuangan (Kemenkeu). Sebagian besar (70%) sistem skala komunal yang dibangun sampai akhir tahun 2015 didanai melalui program DAK, sementara SANIMAS Reguler proporsinya jauh lebih kecil (10%).

Revisi atas Panduan ini dilaporkan terjadi setiap 1-2 tahun, di mana Panduan SANIMAS Reguler dan SANIMAS DAK terakhir diperbarui pada bulan Agustus 2016. Tinjauan ini mencakup pemutakhiran baru-baru ini yang memasukkan mekanisme pendanaan yang diubah dari 'belanja sosial' menjadi 'belanja barang'. Perubahan lainnya termasuk pengurangan kontribusi wajib pemerintah daerah untuk dukungan pasca konstruksi dan memisahkan pengelolaan tahap pasca konstruksi kepada Kelompok Pemanfaat dan Pemelihara (KPP) baru.³

Tinjauan ini dilakukan dengan langkah-langkah sebagai berikut:

¹ Pemerintah daerah adalah pemerintah kota/kabupaten (Pemda)

² *Reguler* dalam bahasa Indonesia

³ Komunikasi pribadi PU, Agustus 2016

- i. Konsultasi dengan PU dan pemangku kepentingan terkait, termasuk Satker PLP Berbasis Masyarakat dan Unit Manajemen Proyek Pusat (*Central Project Management Unit - CPMU*) Sanimas IDB (Agustus-September)
- ii. Tinjauan Panduan berdasarkan temuan dari penelitian ISF-UTS sebelumnya dan dua kota studi kasus proyek ini, serta masukan relevan dari PU dan pemangku kepentingan lainnya. Panduan yang dikaji termasuk:
 - Petunjuk Teknis SANIMAS Reguler dan Lampiran 2016
 - Petunjuk Pelaksanaan Dana Alokasi Khusus (DAK) Bidang Infrastruktur Sub-bidang Sanitasi 2016
- iii. Identifikasi area rancangan untuk pembaruan yang diusulkan serta korespondensi dengan PU untuk meminta klarifikasi. Pernyataan yang langsung dirujuk dari dua Panduan ditulis dalam *huruf miring* dan direferensikan dengan program Reguler (R) atau DAK (D) dan serta nomor pasalnya, misalnya pernyataan dari Panduan Reguler pasal 2.1, direferensikan dalam laporan ini sebagai (R2. 1).
- iv. Komunikasi dengan PU dan para pemangku kepentingan nasional terkait usulan perubahan atas Panduan melalui pertemuan dengan staf PU dan lokakarya diseminasi.
- v. Dokumentasi rekomendasi yang disepakati dan tantangan yang belum dapat diatasi untuk dipertimbangkan dalam tinjauan Panduan 2017.

Perlu diakui bahwa pengaturan waktu tinjauan ini berakibat pada beberapa keterbatasan, karena adanya beban waktu yang besar bagi staf PU untuk melaksanakan program SANIMAS 2016 dalam tenggat beberapa bulan yang dialokasikan untuk tinjauan ini (Agustus-November 2016). Namun, staf PU menyebutkan bahwa mereka sedang melakukan evaluasi atas semua sistem SANIMAS yang dibangun melalui SANIMAS Reguler pada tahun 2017 (termasuk status aset dan serah terimanya), dan bahwa rekomendasi yang terkandung dalam dokumen ini akan dipertimbangkan dalam revisi berikutnya tahun 2017 terhadap Panduan-Panduan dimaksud.

1.3 KRITERIA UTAMA TINJAUAN

Pertanyaan dan kriteria berikut ini adalah fokus dari tinjauan ini. Bidang-bidang ini dipilih karena secara langsung memengaruhi kemampuan pemerintah daerah dalam memenuhi tanggung jawab minimum pemerintah daerah yang diusulkan yang diperlukan untuk operasional sistem skala komunal yang berkelanjutan.

a) **Alokasi tanggung jawab:**

- Apakah alokasi tanggung jawab konsisten dengan tanggung jawab hukum pemerintah atas sanitasi?
- Apakah Panduan mendukung pendekatan pengelolaan bersama (*co-management*)?
- Aspek apa dari Panduan yang perlu ditinjau agar pemerintah daerah dapat mengambil tanggung jawab minimum yang diajukan?

b) **Pembiayaan pasca konstruksi** untuk biaya-biaya di luar kapasitas masyarakat akan diberikan oleh pemerintah untuk memastikan agar sistem terbangun tidak cepat menyusut nilainya.

- Apakah Panduan menentukan tanggung jawab pemerintah daerah dan mekanisme untuk pembiayaan besar pasca konstruksi?
- Apakah implikasi kepemilikan aset pada pembiayaan pasca konstruksi diidentifikasi dengan jelas?
- Untuk sistem yang dimiliki oleh masyarakat, apakah Panduan merinci dengan jelas pembentukan KSM/KPP sebagai badan hukum sehingga mereka dapat menerima dukungan keuangan pemerintah?

- c) **Kepemilikan aset** memengaruhi tanggung jawab akhir dan opsi bagi pemerintah daerah untuk mendukung sistem dan memiliki pengaruh atas sistem yang dirancang untuk kesehatan masyarakat dan perlindungan lingkungan.
- Apakah proses kepemilikan aset dijelaskan dengan baik dan mengikat secara hukum?
 - Apakah pilihan untuk kepemilikan aset serta pengaruhnya pada pengelolaan jangka panjang dan pembiayaan dipaparkan dengan jelas?
 - Apakah pemerintah daerah dapat memiliki aset untuk memaksimalkan kemampuan dalam memberikan dukungan dan pengawasan yang berkelanjutan?

2. Alokasi tanggung jawab

2.1 LATAR BELAKANG

Sebagaimana dijabarkan dalam laporan utama, penelitian ISF-UTS dan Bank Dunia sebelumnya menemukan bahwa meningkatkan keterlibatan dan tanggung jawab pemerintah daerah untuk sistem skala komunal dapat meningkatkan keberlanjutan jangka panjang mereka.⁴ Penelitian sebelumnya juga menemukan bahwa banyak kegiatan yang dialokasikan kepada KSM/KPP berada di luar kemampuan teknis dan keuangan mereka. Beberapa kegiatan (seperti monitoring) sudah dialokasikan kepada pemerintah daerah dan di beberapa kota pemerintah daerah telah mencoba untuk mendukung sistem ini (secara teknis, kelembagaan atau finansial), namun peran mereka belum jelas, dan Panduan menekankan tanggung jawab masyarakat melalui pendekatan pemberdayaan. Mengingat tanggung jawab hukum pemerintah daerah untuk sanitasi, bagian tinjauan ini fokus pada **bagaimana Panduan dapat menjelaskan pendekatan pengelolaan bersama dengan lebih terang** di mana masyarakat dan pemerintah saling bertanggung jawab atas pengelolaan dan tata kelola.

2.2 TEMUAN TINJAUAN

2.2.1 ASUMSI YANG TIDAK REALISTIS TENTANG KEMAMPUAN MASYARAKAT UNTUK MENGELOLA

SANIMAS adalah program berbasis masyarakat yang menggunakan pendekatan pemberdayaan masyarakat. Pendekatan ini mendukung partisipasi, khususnya dari masyarakat berpenghasilan rendah, yang dimaksudkan untuk mendorong inisiatif dan transparansi, mendorong kemandirian dan memperkuat kapasitas masyarakat.⁵ Panduan mengandung sejumlah pernyataan yang menganggap masyarakat atau KSM/KPP memiliki keterampilan teknis, manajemen dan keuangan yang signifikan. Berdasarkan penelitian ISF-UTS dan Bank Dunia, hal ini mungkin melampaui apa yang mungkin dilakukan para relawan masyarakat yang tinggal di wilayah berpenghasilan rendah dan sering tidak memiliki keterampilan yang dibutuhkan. Hal ini menjadi semakin nyata seiring program SANIMAS beralih dari kakus komunal ke pengolahan air limbah komunal dengan jejaring selokan kecil, padahal sistem serupa dengan skala yang sedikit lebih besar (skala kawasan) dikelola oleh instansi air limbah pemerintah. Pernyataan-pernyataan mengenai asumsi kapasitas masyarakat di bawah ini diambil dari Panduan Reguler (R) dan DAK (D). Hal ini terlihat jelas seiring program SANIMAS berpindah dari toilet komunal ke pengolahan air limbah komunal dengan jaringan pembuangan kecil, di mana sistem skala yang sedikit lebih besar (skala kawasan) dikelola oleh instansi air limbah pemerintah. Pernyataan di

⁴ Eales, K., Siregar, R., Febriani, E., & Blackett, I. (2013). Review of Community Managed Decentralized Wastewater Treatment Systems in Indonesia. Laporan Akhir. World Bank Water and Sanitation Program

⁵ SANIMAS Reguler bagian 2.1

bawah ini mengenai kapasitas yang ditanggung oleh masyarakat diambil dari Panduan Reguler (R) dan DAK (D).⁶

- *“Pengelolaan prasarana dan sarana dapat berjalan dengan baik jika diwujudkan dengan rencana kerja yang nyata dan iuran (pendanaan) dari pemanfaat sebagai swadaya untuk keberlanjutannya. Hal ini dilakukan untuk menumbuhkan rasa memiliki ...”.* (R6.2)
- *“KSM dan KPP merupakan wakil masyarakat pengguna dan pemanfaat, sehingga keberhasilan program ini akan sangat tergantung pada peran aktif masyarakat (partisipasi) dalam setiap tahapan kegiatan, mulai dari proses penyiapan masyarakat, sosialisasi, perencanaan, pelaksanaan pembangunan, pemanfaatan dan pemeliharannya.”.* (R2.4.3)
- Pada bagian pembentukan KPP dan peran mereka, *“perlu adanya kemampuan teknis, seperti:*
 1. *Kemampuan menyusun rencana operasional dan pemeliharaan, misalnya untuk irigasi perdesaan dengan menyusun rencana tata tanam dan rencana pembagian air irigasi;*
 2. *Kemampuan untuk mempelajari prinsip dasar cara kerja infrastruktur terbangun, dan melakukan inventarisasi kerusakan serta usulan perbaikannya;*
 3. *Kemampuan untuk menyusun rencana kegiatan operasi dan pemeliharaan serta pelaksanaannya.”* (R4.3)
- *“Upaya untuk mengembangkan sanitasi lingkungan skala komunitas dapat dilakukan melalui pendekatan berbasis masyarakat. Hal ini dimaksudkan untuk memastikan keberlanjutan pengelolaannya.”* (D kata pengantar)

Terlepas dari pendekatan pemberdayaan masyarakat yang terus diterapkan sampai saat ini, penelitian ISF-UTS sebelumnya menemukan banyak pernyataan di atas tidak terbukti, di mana banyak sistem tidak beroperasi secara berkelanjutan (tidak ada pemungutan tarif, tidak membayar biaya berjalan, pemeliharaan terbatas, pemanfaatan rendah). Ketika sistem berhenti berfungsi, tumpahan limbah (*overflow*), atau akan mahal untuk diperbaiki sehingga dapat menjadi beban bagi masyarakat atau sumber konflik. Menyadari bahwa pendekatan berbasis masyarakat masih belum menunjukkan hasil yang berkelanjutan sesuai maksud pendekatan ini, kini adalah saat yang tepat untuk memberikan dukungan yang lebih besar kepada masyarakat, mengingat bahwa pada akhirnya pemerintah daerah lah yang bertanggung jawab atas layanan sanitasi.

2.2.2 ALOKASI TANGGUNG JAWAB YANG MELEBIHI KAPASITAS MASYARAKAT

Melanjutkan komentar di atas mengenai harapan terhadap KPP untuk pengelolaan dan operasional sistem skala komunal, penelitian sebelumnya telah mengidentifikasi kegiatan yang berada *dalam* kapasitas masyarakat, serta kegiatan yang ada di luar kapasitas masyarakat. Lokakarya yang dilakukan di kedua kota studi kasus juga menyoroti sejumlah besar peran yang dialokasikan kepada KSM/KPP, termasuk peran-peran yang melebihi kapasitas mereka.

Tabel berikut merinci kegiatan-kegiatan yang dialokasikan untuk KSM/KPP terkait operasional dan pengelolaan sistem skala komunal, serta tantangan yang didokumentasikan dalam penelitian ISF-UTS sebelumnya⁷

Tabel 1 – Kegiatan yang dialokasikan kepada masyarakat dalam Panduan

⁶ Catatan, di mana pasal diambil langsung dari Panduan, dicetak dalam huruf *miring* dan referensi dengan nomor pasal, misalnya Referensi: Panduan Reguler pasal 6.2 adalah (R6.2)

⁷ Mitchell, C, Ross, K, dan Abey Suriya, K. 2015. An analysis of performance data for local scale wastewater services in Indonesia. *Institute for Sustainable Futures, University of Technology Sydney.*

| Kegiatan | Alokasi tanggung jawab KPP/Masyarakat | Tantangan dalam peran ini berdasarkan bukti penelitian |
|-------------------------------------|--|---|
| O&M Perencanaan * | KPP (atau masyarakat) menyusun rencana operasional dan pemeliharaan atau prosedur operasional standar sampai dengan melaksanakan dan mengelola sistem. (R4.3, R6.1.3) | Mebutuhkan pemahaman yang dalam tentang apa saja yang dibutuhkan untuk keberhasilan operasional. |
| Operasional dan pemeliharaan | KPP mengoperasikan dan memelihara sarana sanitasi, termasuk memeriksa semua ruang septik dan pipa secara berkala. (R2.4.3, R4.3, R6.5.1, R6.5.2 D2.4.4, D 2.2.5) | Operasional sehari-hari biasanya masih dalam kapasitas KSM/KPP, selagi mereka diberikan informasi dan dilatih. |
| Penyedotan tinja* | KPP atau operator melaksanakan/mengatur penyedotan tinja setiap 2-3 tahun (R4.3, R6.5.2, D2.4.4) | Penyedotan tinja sebaiknya dilakukan oleh badan teknis, namun masyarakat dapat mengatur hal ini. Mereka membutuhkan informasi siapa yang harus dipanggil dan promosi untuk mendorong tabungan biaya untuk penyedotan rutin. |
| Pemantauan efluen* | KPP melakukan pemantauan efluen dan mengambil sampel untuk analisis setiap 6 bulan (R4.3, D2.4.4) | Pengambilan sampel seringkali memerlukan peralatan dan pelatihan spesialis untuk memastikan agar dilakukan dengan aman dan tepat. |
| Menilai kerusakan* | KPP melakukan inventarisasi kerusakan dan menyusun rencana pemeliharaan dan pengelolaan dengan tindakan perbaikan. (R4.3, R6.1) KPP melakukan pemantauan berkala terhadap kondisi infrastruktur dan kinerja layanan. (RR6.1, D 2.4.4) | Selain kerusakan umum seperti pipa tersumbat, menilai kerusakan dan memantau kondisi membutuhkan pengetahuan teknis atas desain dan kinerja yang diharapkan. |
| Rehabilitasi dan perbaikan* | KPP memelihara fasilitas dan melakukan perbaikan/rehabilitasi apabila rusak. (R4.3, R6.1, D2.4.4, D2.2.5) | Pemeliharaan kecil (membersihkan sumbatan pipa, memperbaiki pipa atau kerusakan kecil) dapat dilakukan oleh KSM/KPP, tapi perbaikan atau rehabilitasi besar berada di luar kapasitas teknis dan keuangan mereka. |
| Ekstensi/ sambungan* | KPP mengembangkan/ memperluas/ meningkatkan kualitas layanan dan jumlah sambungan rumah. (R2.4.3, R4.3, D2.4.4, D2.2.5) | Perluasan sistem yang memerlukan peletakan pipa dan lubang inspeksi (<i>manhole</i>) tambahan membutuhkan dukungan desain dan teknis dan keuangan. |
| Promosi | KPP melakukan kampanye Perilaku Hidup Bersih dan Sehat (PHBS). (R2.4.3, R4.3, D2.4.4) | KPP dapat melakukan promosi tetapi mungkin memerlukan dukungan dan insentif untuk melakukannya. |
| Menetapkan dan memungut | KPP merencanakan besar iuran, memungut iuran, melakukan pembukuan, menyusun laporan keuangan rutin dan mencari pendanaan alternatif (R4.3, D2.4.4) | KPP mendapati bahwa aspek keuangan maupun sosial dari pengelolaan iuran cukup berat (lihat bagian 3.2) |

| Kegiatan | Alokasi tanggung jawab KPP/Masyarakat | Tantangan dalam peran ini berdasarkan bukti penelitian |
|----------------|---------------------------------------|--|
| iuran pengguna | | |

* Penelitian sebelumnya menemukan bahwa kegiatan-kegiatan ini menjadi tantangan bagi masyarakat.

Kegiatan ini harus ditinjau kembali untuk melihat apakah tanggung jawab dimaksud layak untuk diberikan kepada masyarakat dan apakah secara realistis dapat didanai oleh masyarakat. Penelitian ini dan sebelumnya mengidentifikasi empat tanggung jawab minimum pemerintah daerah yang dapat meningkatkan keberlanjutan sistem dalam pendekatan *co-management* sebagaimana dirinci dalam Tabel 2. Jika pendekatan ini diadopsi dalam Panduan, bagian-bagian tersebut di atas harus diperbarui agar dapat lebih jelas menggambarkan apa saja tanggung jawab pemerintah daerah dan masyarakat.

Tabel 2 – Contoh pembagian peran antara KPP dan pemerintah daerah.

| | Peran minimum pemerintah daerah | Peran KSM/KPP terkait |
|----|---|--|
| 1. | Pemantauan dan tindakan korektif: <ul style="list-style-type: none"> - Memantau dan memelihara catatan seluruh sistem skala komunal, termasuk status teknis, kelembagaan dan keuangan. - Badan teknis untuk memantau efluen setiap 6 bulan dan melaporkan kembali ke KPP; | Pemantauan sehari-hari, operasional dan pemeliharaan kecil: <ul style="list-style-type: none"> - Pemantauan operasional dan tindak lanjut (membersihkan sumbatan pipa dll., meminta bantuan untuk masalah yang lebih besar). - Menyusun rencana operasional dan pemeliharaan agar sesuai dengan pengaturan operator yang telah disetujui. |
| 2. | Dukungan kelembagaan dan teknis kepada KPP: <ul style="list-style-type: none"> - Memberikan bimbingan kepada KPP tentang kegiatan operasional dan pemeliharaan yang diperlukan untuk sistem spesifik mereka. - Melakukan penyedotan tinja, atau memfasilitasi penyedotan tinja sektor swasta, termasuk penyediaan peralatan tambahan yang diperlukan untuk akses - Promosi untuk mengingatkan masyarakat agar secara rutin mengosongkan dan bagaimana cara untuk mengaturnya. | <ul style="list-style-type: none"> - KPP memberi akses ke sistem untuk pemantauan efluen. - Pemeliharaan kecil dan memperbaiki kerusakan (pipa tersumbat, kerusakan kecil pipa, mengganti perlengkapan (keran, dll), sambungan yang rusak atau tutup lubang got). |
| 3. | <ul style="list-style-type: none"> - Mendanai biaya-biaya besar - Badan teknis menilai kerusakan besar. - Rehabilitasi dan perbaikan besar kerusakan pada pipa utama atau saluran keluar, kerusakan struktural, atau pengeluaran besar lainnya harus dikelola dan dibiayai oleh pemerintah daerah. - Badan teknis menilai kapasitas sistem, merancang perluasan dan membiayai pelaksanaan. | <ul style="list-style-type: none"> - Meminta dukungan - Meminta dukungan, dapat menyumbang tenaga kerja apabila disetujui. - KPP mengidentifikasi rumah tangga yang tidak tersambung dan mendukung promosi sambungan. |
| 4. | Formalisasi/pemberian kewenangan pemungutan iuran: | Memungut iuran dan mencakup operasional sehari-hari |

| Peran minimum pemerintah daerah | Peran KSM/KPP terkait |
|--|--|
| <ul style="list-style-type: none"> - Mendukung penetapan iuran pengguna yang sesuai dan formalisasinya melalui peraturan desa. - Mendukung KPP dengan mensosialisasikan peran mereka kepada masyarakat serta perlunya masyarakat membayar iuran. | <ul style="list-style-type: none"> - KPP memungut iuran secara rutin dari semua pengguna dan membayar operator dengan layak serta peran pengelolaan dan biaya pemeliharaan kecil. |

2.2.3 PERAN PEMERINTAH TIDAK JELAS

Tinjauan kami menemukan bahwa peran pemerintah daerah sebagaimana dijelaskan dalam Panduan tidak cukup jelas. Panduan versi tahun 2014 merinci peran yang lebih besar bagi pemerintah daerah daripada versi sebelumnya, khususnya dalam tabel tanggung jawab untuk tahap operasional (Lampiran Reguler Tabel 1.1 dan DAK Tabel 1.1). Bidang lainnya di mana tanggung jawab telah dialokasikan kepada pemerintah dimuat dalam Tabel 3.

Tabel 3: Peran pemerintah provinsi dan daerah yang dimuat dalam Panduan Reguler dan DAK

| Reguler | DAK |
|---|--|
| <p>Pemerintah Provinsi <i>Tugas dan tanggung jawab Pemerintah Provinsi antara lain seperti: (R6.3):</i></p> <ol style="list-style-type: none"> 1. Penguatan kelembagaan KPP; 2. Memonitoring keberlangsungan/keberlanjutan Operasi dan Pemeliharaan SANIMAS yang terbangun... serta pembinaan kepada masyarakat/KPP dalam pengelolaan sarana; 3. Memberikan masukan atas kendala yang terjadi di tingkat masyarakat; 4. Memberikan bantuan teknis yang memungkinkan kepada masyarakat/KPP terkait hal teknis seperti, penyedotan lumpur dari bangunan IPAL komunal, pemeriksaan kualitas effluent (test effluent) secara berkala, dan analisa teknis lainnya terkait pengelolaan sarana. <p>Kegiatan lain yang dialokasikan bagi pemda provinsi.</p> <ul style="list-style-type: none"> - Satker PLPBM melaporkan hasil monitoring dan evaluasi Program SANIMAS kepada Subdit Pengelolaan Air Limbah setiap 3 bulan sekali (R2.4.1) - Satker PLPBM bertanggung jawab atas monitoring and survei langsung kondisi termasuk aspek teknis, pemanfaatan, keuangan dan kelembagaan satu kali per satu tahun dan melaporkannya kepada Bupati atau Gubernur. (R8.2) <p>Pemerintah Kabupaten</p> <ul style="list-style-type: none"> - Pengoperasian dan pemeliharaan oleh masyarakat dengan dibantu Pemda setempat (2.2) - Diharapkan bahwa Pemerintah Kabupaten/Kota dapat berperan aktif memberikan pembinaan juga dukungan teknis kepada masyarakat (seperti penyuluhan, penguatan kapasitas) agar mereka mampu | <p>Pemerintah Kabupaten:</p> <ul style="list-style-type: none"> - Diharapkan pemerintah Kabupaten/Kota dapat berperan aktif memberikan dukungan teknis kepada masyarakat (penyebaran informasi, penyuluhan) agar mereka mampu mengoperasikan dan memanfaatkan sarana yang ada. (D2.4.4) - Pemerintah kabupaten/kota menugaskan pengelola teknis SKPD DAK untuk melakukan pembinaan secara teknis operasional serta keuangan kepada KPP/pengelola. Dukungan Pemda juga termasuk untuk melakukan rehabilitasi sarana yang mengalami kerusakan berat (tidak dapat beroperasi) (D2.4.3) |

| Reguler | DAK |
|---|-----|
| <i>mengoperasikan dan memanfaatkan prasarana dan sarana yang ada dengan baik. (6.1.2)</i> | |

Sementara dimasukkannya beberapa tanggung jawab pemerintah sudah merupakan peningkatan dibandingkan memberikan tanggung jawab tunggal kepada masyarakat, tanggung jawab tersebut tidak selalu dijabarkan dengan jelas. Beberapa aspek yang memerlukan revisi meliputi:

- Duplikasi kegiatan yang juga dialokasikan kepada masyarakat, seperti monitoring, penambahan sambungan rumah, dan perbaikan/rehabilitasi besar (lihat Tabel 1). Mengalokasikan tanggung jawab yang sama kepada masyarakat dan pemerintah akan menimbulkan ambiguitas sehingga dapat membatasi akuntabilitas kedua pihak.
- Dalam Panduan Reguler alokasi tanggung jawab teknis untuk pengoperasian dan pengelolaan kepada pemerintah provinsi, termasuk mendukung KPP, adalah tidak realistis. Selain itu, hal ini bisa menciptakan konflik karena tanggung jawab sanitasi secara hukum diberikan kepada pemerintah daerah. Tanggung jawab pemerintah daerah dalam Program Reguler umumnya tidak jelas.
- Penggunaan bahasa yang ambigu dalam menggambarkan peran pemerintah seperti “memberikan” atau “mendukung”. Kata-kata ini tidak mendefinisikan dengan jelas apakah ini adalah kewajiban pemerintah, sehingga harus akuntabel, ataukah ini pilihan. Kata-kata ini juga ambigu dalam hal apakah dukungan keuangan yang diharapkan atau hanya bantuan teknis.

2.3 REKOMENDASI

1. Merevisi Panduan agar menjelaskan bahwa keberlanjutan sistem skala komunal dapat dicapai melalui pendekatan pengelolaan bersama yang melibatkan masyarakat dan pemerintah, dan bahwa keberhasilan program akan sangat tergantung pada peran aktif dari masyarakat *dan* pemerintah daerah. Revisi tersebut juga harus mencakup menghapus redaksi yang mengasumsikan tanggung jawab masyarakat tunggal dalam mencapai keberhasilan dan keberlanjutan sistem.
2. Di dalam Panduan, mengalokasikan kegiatan kepada masyarakat yang berada dalam kapasitas mereka, dan mengalokasikan kegiatan selebihnya kepada pemerintah daerah, yang bersifat wajib. Bagi pemerintah daerah, hal ini akan mencakup alokasi kegiatan yang berhubungan dengan empat tanggung jawab minimum pemerintah daerah (seperti yang dijelaskan dalam Tabel 2).
3. Memperjelas delineasi kegiatan antara masyarakat dan pemerintah daerah untuk meningkatkan akuntabilitas (yaitu menghapus kontradiksi atau duplikasi).
4. Menghapus tanggung jawab pemerintah Provinsi untuk mendukung KPP dalam Panduan Reguler dan menggantinya dengan memperjelas peran pemerintah daerah.

3. Pembiayaan pasca konstruksi

3.1 LATAR BELAKANG

Salah satu bidang utama yang oleh KSM/KPP dianggap menantang adalah membiayai secara berkelanjutan semua aspek pengoperasian dan pemeliharaan berjalan dari sistem skala komunal.⁸ Penelitian sebelumnya mengidentifikasi bahwa sebagian besar KSM/KPP tidak memungut iuran pengguna, merasakan bahwa pemungutan sulit karena kurangnya kewenangan dan kemauan yang rendah untuk membayar, tidak bisa menutupi biaya berjalan seperti gaji operator atau penyedotan tinja, apalagi perbaikan besar.⁹ Laporan utama merinci tanggung jawab minimum pemerintah daerah yang diusulkan untuk mendukung pembiayaan berkelanjutan:

- a) Formalisasi penetapan iuran dan pemungutan – karena adanya iuran masyarakat untuk menutupi biaya operasional berjalan dianggap penting dan layak. Namun, perlu ada dukungan untuk menetapkan iuran pemulihan biaya (*cost recovery*) dan peningkatan kewenangan untuk pemungutan.
- b) Mendanai biaya besar – karena biaya perbaikan besar, rehabilitasi, perluasan sistem/penambahan sambungan dan retrofit lebih besar daripada yang secara realistis dapat dikumpulkan oleh masyarakat.

3.2 TEMUAN TINJAUAN

3.2.1 PENETAPAN IURAN PENGGUNA UNTUK PEMULIHAN BIAYA

Agar masyarakat dapat memastikan pengoperasian dan pemeliharaan kecil berjalan, mengumpulkan iuran untuk menutupi biaya terkait merupakan hal penting. Menghitung jumlah yang sesuai untuk pemulihan biaya ini bukanlah hal yang sederhana bagi masyarakat yang tidak memiliki pengalaman dengan sistem ini. Oleh karena itu, pernyataan-pernyataan berikut dapat melampaui kapasitas masyarakat: *KSM dan KPP membuat perencanaan belanja, membukukan dan melaporkan secara rutin operasional dan pemeliharaan (R2.4.3), merencanakan tentang besarnya iuran anggota (R4.3 dan D2.4.4) dan mengembangkan peraturan untuk menetapkan kondisi dan waktu pembayaran (R2.4.3).*

Dalam hal ini, pemerintah daerah dapat berperan untuk memberi pembinaan tentang bagaimana menghitung iuran pemulihan biaya sesuai kondisi lokal. Hal ini juga terkait dengan perlunya memperjelas kegiatan apa yang menjadi tanggung jawab KSM/KPP dan pemerintah, karena dalam Panduan tampaknya ada keterputusan antara kegiatan yang dicakup dalam iuran pengguna (Tabel 4) dan sejumlah besar kegiatan yang menjadi tanggung jawab KSM/KPP (Tabel 1). Secara khusus, iuran yang dijelaskan dalam Panduan tidak mencakup pemantauan efluen, perbaikan besar dan rehabilitasi atau penambahan sambungan yang dialokasikan sebagai tanggung jawab KPP di bagian lain dalam Panduan.

Walaupun perhitungan iuran pengguna sebagaimana tampak pada Tabel 4 dapat menjadi rujukan bagi masyarakat untuk menetapkan iuran, perhitungan ini berbeda antara Panduan Reguler dan DAK dan

⁸ Mitchell, C, Ross, K, dan Abeysuriya, K. 2015. An analysis of performance data for local scale wastewater services in Indonesia. Institute for Sustainable Futures, University of Technology Sydney.

⁹ Mitchell, C, Abeysuriya, K, Ross K. 2016. A review and comparative analysis of indicative service costs for different sanitation service scales in Indonesia. Institute for Sustainable Futures, University of Technology Sydney.

mengasumsikan jumlah rumah tangga yang lebih banyak dibandingkan dengan praktik saat ini (asumsi Panduan adalah sekitar 50 rumah tangga tersambung). Penjelasan tambahan soal bagaimana masyarakat dapat mengadaptasi tabel ini untuk konteks lokal mereka dan sistem akan berguna.

Tabel 4 – Biaya iuran pengguna yang diusulkan dari Panduan

| Sistem | MCK | | IPAL komunal | |
|----------------------------|-----------------------|--------------------------|--------------------|--------------------|
| | Reguler (R6.5.1) | DAK (D3.2.1.1) | Reguler (R6.5.2) | DAK (D3.2.1.2) |
| Operator | 400.000 | 200.000 | 300.000 | 100.000 |
| Listrik | 120.000 | 100.000 | | |
| Peralatan/Material | 65.000 | 40.000 | | |
| Penyedotan tinja / 2 tahun | 400.000 | 250.000 | 600.000 | 500.000 |
| Perbaikan | 250.000/tahun | 100.000/tahun | 70.000 | 50.000 |
| Total/bulan | 622.000 | 359.000 | 395.000 | 171.000 |
| Rumah tangga | 7-27 | 13-66 | 150 | 75 |
| Iuran Rp/rt | 750-3.000/hari | 2.000-10.000/hari | 2.633/bulan | 2.280/bulan |

Seperti yang dibahas dalam laporan utama, KSM/KPP telah meminta dukungan untuk meningkatkan pengumpulan iuran dan mekanisme untuk meningkatkan kewenangan penetapan dan pemungutan iuran.

3.2.2 MEMUNGUT DAN MENGELOLA IURAN PENGGUNA

Dari studi kasus dan penelitian ISF-UTS sebelumnya, pemungutan sulit dilakukan karena tidak adanya ketetapan iuran, rendahnya kewenangan untuk memungut, rendahnya persepsi akan kebutuhan untuk memungut oleh KPP atau perlunya masyarakat membayar. Selain asumsi adanya kapasitas untuk menetapkan iuran pengguna, tanggung jawab berikut ini dialokasikan kepada KPP untuk mengelola iuran pengguna:

- Mengumpulkan catatan kontribusi dan melaporkan secara rutin kepada anggota/pemanfaat dan pemerintah desa/kelurahan (R2.4.3, R4.3, D2.2.5)
- Membuat pembukuan uang masuk/keluar dan membuat laporan keuangan secara rutin. (R4.3, D2.4.4)
- Mencari sumber pendanaan di luar iuran masyarakat pemanfaat (R4.3, D2.4.4)

Penelitian ISF-UTS sebelumnya menemukan bahwa kegiatan-kegiatan di atas dianggap berat bagi masyarakat. Selain itu, tanpa pelatihan di muka dan berkelanjutan yang memadai, kegiatan di atas kemungkinan akan melebihi kapasitas KSM/KPP. Dari studi kasus, direkomendasikan juga bahwa pengumpulan iuran akan lebih baik apabila RW/Kelurahan mendukung kewenangan KPP untuk mengumpulkan melalui Surat Keputusan setempat yang menyatakan tanggung jawab mereka dan dipromosikan ke masyarakat bersama promosi sanitasi berjalan untuk meningkatkan kemauan membayar. Dukungan berjalan bagi KSM/KPP harus diberikan kepada instansi pemerintah daerah yang sesuai atau Kelurahan.

Selain membangun dan memperkuat kapasitas KPP, alternatif lain yang dapat dipertimbangkan adalah mekanisme pengumpulan biaya oleh otoritas yang ada atau dipasangkan dengan layanan yang dapat dikenakan sanksi jika tidak dibayar (karena tidak mungkin mematikan pengolahan air limbah seperti

halnya mematikan listrik atau air). Dalam kasus di mana masyarakat kurang memiliki kewenangan untuk memastikan pemungutan rutin, mekanisme alternatif untuk pemungutan bisa dinyatakan dalam Panduan, seperti pemungutan oleh RT/RW dengan iuran masyarakat lainnya, pemungutan oleh Kelurahan, pengumpulan oleh instansi air limbah atau instansi lain seperti air atau listrik. Mekanisme untuk mengembalikan uangnya kepada masyarakat untuk biaya operasional akan perlu ditentukan. Dengan beberapa kota sedang mengkaji penerapan tarif skala kota untuk FSM, kemungkinan terjadinya tumpang tindih dengan iuran ini di tempat di mana sistem skala komunal perlu dipertimbangkan.

3.2.3 SUMBER DANA TAMBAHAN UNTUK BIAYA BESAR

Dari lokakarya nasional dan kota-kota studi kasus, terdapat konsensus bahwa masyarakat tidak harus diminta untuk menutupi biaya besar untuk perbaikan, rehabilitasi, penambahan sambungan rumah atau retrofit, khususnya di daerah berpenghasilan rendah. Panduan menyebut beberapa tanggung jawab pemerintah daerah untuk menyediakan dukungan keuangan pasca konstruksi:

- Panduan Reguler mengalokasikan APBD Kab/Kota sebagai sumber utama pendanaan untuk rehabilitasi dan replikasi dan sebagai sumber dukungan pendanaan untuk penyedotan, pemeriksaan efluen dan pengoperasian dan pemeliharaan rutin (lihat Panduan Reguler Tabel 1.1). Namun, dalam Panduan DAK hanya biaya pelatihan O&M yang dialokasikan untuk pemerintah, biaya lainnya adalah tanggung jawab masyarakat.
- *Peran pemerintah daerah diharapkan dapat meneruskan bantuannya pada tahap pelestarian. Bentuk pembinaan dan bantuan yang diberikan dapat berupa bantuan teknis dan/atau bantuan pendanaan. (R6.3)*
- *Pemerintah Daerah dapat memberikan bantuan kepada KPP yang bersumber dari APBD yang sudah dituangkan dalam Peraturan Daerah, di mana hal ini disesuaikan dengan kemampuan daerah masing-masing. (R6.3) (Perhatikan bahwa Panduan sebelumnya mewajibkan 10% kontribusi pemerintah daerah).*
- *Kemungkinan pengurus KPP untuk mencari sumber dana di luar iuran warga pemanfaat, di antaranya adalah dari bantuan pemerintah yang diberikan berupa bantuan teknis dan/atau bantuan pendanaan terkait yang cukup besar, seperti rehap sarana. (R6.3)*
- *Pemerintah kabupaten/kota menugaskan pengelola SKPD teknis DAK untuk memberikan pembinaan teknis dan keuangan kepada KSM/KPP. Dukungan Pemda juga termasuk untuk melakukan rehabilitasi sarana yang mengalami kerusakan berat (tidak dapat beroperasi). (D2.4.3.e)*
- *Apabila KPP akan mengelola dana dari pihak lain, KPP harus berbadan hukum (R2.4.3) (Pernyataan ini menyiratkan pendanaan pemerintah).*
- *Sebagai bagian dari peralihan aset "Kepala Desa/Lurah membuat surat pernyataan kesanggupan menganggarkan biaya operasional dan pemeliharaan dari dana desa" (Pernyataan ini menyiratkan bahwa di daerah perkotaan, Kelurahan akan menyediakan dana) (R5.4)*

Klarifikasi lebih lanjut mengenai hal-hal tertentu yang harus menjadi pokok tanggung jawab pemerintah untuk mendanainya dapat dimasukkan dalam Panduan, dan Panduan harus jelas menjadikan tanggung jawab ini sebagai kewajiban pemerintah daerah, dan tidak ambigu atau menjadikan ini opsional. Lebih penting lagi, berdasarkan temuan penelitian dan studi kasus sebelumnya, perlu ada bimbingan untuk mengklarifikasi mekanisme anggaran mana yang dapat digunakan oleh pemerintah daerah. Walaupun beberapa pemerintah daerah bersedia untuk mendukung biaya berjalan utama untuk sistem skala komunal, karena sebagian besar sistem ini tidak dimiliki pemerintah. Akibatnya, staf pemerintah daerah tidak memiliki keyakinan mata anggaran mana yang boleh mereka gunakan dan takut akan sanksi hukum atas penggunaan dana yang salah.

Salah satu bagian dari penelitian ini adalah sebuah tinjauan hukum yang dilakukan oleh CPRG-UIKB mengenai pengeluaran anggaran pemerintah daerah untuk biaya berjalan sanitasi skala komunal.¹⁰ Tinjauan ini menemukan mata anggaran berikut ini dapat secara hukum digunakan untuk pengeluaran terkait:

Tabel 5 – Mata anggaran untuk aset-aset yang DIMILIKI oleh pemerintah daerah (di daftar aset pemerintah daerah)

| Rekening Belanja | Penggunaan |
|-------------------------------|--|
| Belanja Langsung | |
| Belanja pegawai | Honor untuk menjalankan program tertentu. Misalnya: honor rapat, honor sebagai operator KSM, dll |
| Belanja barang dan jasa | Dapat digunakan untuk membeli pipa, cat, peralatan, barang-barang konsumsi, dll. <i>Catatan: Juga dapat digunakan untuk pemeliharaan. Penganggaran dapat dilakukan pada tingkat SKPD dan kelurahan.</i> |
| Belanja modal | Untuk mendanai pengadaan infrastruktur dan perbaikan skala besar. |
| Belanja Tidak Langsung | |
| Belanja pegawai | Digunakan untuk membayar pegawai yang bekerja di Dinas/UTPD yang bertugas melakukan perawatan sanitasi komunal. |
| Belanja subsidi | <i>Tidak diperlukan</i> |
| Belanja hibah | <i>Tidak diperlukan</i> |
| Belanja bantuan sosial | <i>Tidak diperlukan</i> |

Tabel 6 – Mata anggaran untuk aset-aset yang TIDAK DIMILIKI oleh pemerintah

| Rekening belanja | Penggunaan |
|-------------------------------|--|
| Belanja Langsung | |
| Belanja pegawai | Honor untuk melaksanakan program dan kegiatan tertentu. Contoh: honor rapat, honor untuk operator KSM, dll. |
| Belanja barang dan jasa | Obyek belanja barang dan jasa yang diserahkan kepada masyarakat disebut “hibah barang”. Prosedurnya mengikuti prosedur hibah yang perlu didahului dengan pengajuan proposal dan verifikasi. Karenanya, ini mengharuskan KSM berbadan hukum. Selain itu, insentif untuk pencapaian masyarakat juga dapat diberikan dari rekening belanja ini. Namun perlu dicatat bahwa insentif ini berbeda dari hibah. |
| Belanja modal | Pembelian dan pemeliharaan besar aset pemerintah/SKPD yang memiliki nilai guna melebihi 12 bulan. Ini bisa berupa kendaraan (sedot tinja) atau aset tetap lainnya. |
| Belanja Tidak Langsung | |

¹⁰ Mohamad Mova AlÁfghani 2016 “Using Regional Budget (APBD) to support Post Construction of Community Scale Sanitation Systems”, Bogor, Indonesia.

| | |
|------------------------|--|
| Belanja pegawai | Digunakan untuk membayar pegawai yang bekerja di Dinas/UTPD yang bertugas melakukan perawatan sanitasi komunal. |
| Belanja subsidi | Dapat digunakan untuk mensubsidi sebagian biaya KSM. Namun, pada praktiknya sulit dijalankan karena mengharuskan adanya pre-audit dan post-audit. KSM harus memiliki struktur unit biaya yang jelas dan harus memiliki laporan keuangan yang baik. |
| Belanja hibah | Disebut sebagai hibah tunai. Dapat digunakan untuk membiayai pengeluaran insidental. Namun harus didahului dengan proposal dan verifikasi. KSM harus juga berbadan hukum. |
| Belanja bantuan sosial | Ini hanya dapat digunakan dalam hal terjadi kejadian darurat sosial, ekonomi, politik atau bencana alam dan kondisi tidak stabil. |

Berdasarkan temuan-temuan tersebut di atas, akan sangat bermanfaat apabila Panduan SANIMAS diperbarui untuk memasukkan butir-butir anggaran dan mekanisme pendanaan yang dipastikan dapat diterima oleh Kementerian PUPR dan Kemendagri. Dengan adanya klarifikasi mengenai tanggung jawab pemerintah daerah untuk mendanai biaya-biaya besar, penyertaan panduan seperti ini dapat menyediakan mekanisme yang jelas dan sah agar pendanaan dapat terjadi.

Selain butir anggaran yang digunakan, penting juga untuk mengklarifikasi bagaimana menghubungkan pendanaan dengan permintaan. Panduan ini dapat menyertakan proses untuk mengidentifikasi hal-hal yang memerlukan pendanaan yang dihubungkan dengan alokasi tanggung jawab yang diajukan untuk pemantauan kepada pemerintah daerah, namun juga langkah-langkah untuk menentukan prioritas investasi dan menulis proposal.

Di sini juga jelas bahwa status kepemilikan aset dan status hukum KSM/KPP juga memengaruhi kemampuan untuk mendanai biaya-biaya besar dari anggaran pemerintah daerah. Rincian tentang ini dibahas pada bab 4 berikut.

3.3 REKOMENDASI

1. Sejalan dengan klarifikasi tentang tanggung jawab pemerintah daerah yang dibahas pada Bagian 2 sebelumnya, pemisahan yang jelas tentang tanggung jawab pembiayaan pasca konstruksi antara pemerintah dan masyarakat direkomendasikan. Lebih jauh di luar alokasi tanggung jawab, direkomendasikan agar Panduan memberikan langkah-langkah untuk mengakses pembiayaan. Maka direkomendasikan bahwa:
2. Panduan mengklarifikasi kebutuhan pembiayaan pasca konstruksi mana yang akan ditangani oleh pemerintah daerah, dan yang mana oleh KSM/KPP.
3. Panduan memberikan bimbingan mengenai bagaimana menghitung dan menetapkan iuran pengguna sesuai kondisi lokal dan sejalan dengan alokasi tanggung jawab KSM/KPP serta biaya-biayanya.
4. Panduan menyebutkan tanggung jawab minimum pemerintah daerah untuk mendukung KSM/KPP untuk menetapkan dan mengumpulkan iuran pengguna. Dukungan seperti ini harus mencakup: bagaimana meningkatkan kewenangan iuran pengguna dengan memberikan bimbingan bagaimana mendapatkan kewenangan dari desa/kelurahan atau kota/kabupaten (misalnya, diatur oleh SK Kelurahan); dan/atau memberikan opsi alternative untuk pengumpulan iuran oleh KPP (misalnya, dikumpulkan oleh RT/RW dengan iuran-iuran desa lainnya, atau dialihdayakan kepada otoritas eksternal seperti PDAM).

5. Panduan mencakup informasi mengenai mata anggaran yang sesuai serta proses yang perlu dijalankan untuk (i) kasus di mana aset dimiliki oleh pemerintah, dan (ii) kasus di mana aset tidak dimiliki oleh pemerintah.

4. Kepemilikan aset dan status hukum KSM

4.1 LATAR BELAKANG

Tinjauan belanja anggaran yang dibahas di Bagian 3.2.3 di atas menjelaskan bahwa opsi untuk sistem keuangan yang dimiliki pemerintah (tentang daftar aset pemerintah daerah) akan lebih sederhana jika dilakukan melalui belanja modal. Untuk aset-aset yang tidak dimiliki pemerintah daerah, di mana mata anggaran ini tidak tepat untuk digunakan, belanja hibah adalah satu-satunya opsi yang layak untuk biaya besar. Namun, hibah seperti ini tidak dapat diberikan setiap tahun dan penggunaan mata anggaran ini mengharuskan bahwa KSM/KPP berbadan hukum. Ini membuat pemerintah daerah memiliki opsi yang sangat sulit untuk mendanai biaya besar untuk sistem-sistem yang bukan miliknya, jika nyaris tidak memungkinkan.

Status kepemilikan aset saat ini seringkali tidak jelas, dan dipengaruhi oleh program (DAK atau Reguler), mata anggaran yang digunakan untuk mendanai pelaksanaan, kepemilikan tanah dan apakah proses serah terima aset tersebut telah selesai dan mengikat secara hukum. Bagian ini memaparkan bagaimana Panduan dapat diperbarui untuk menjelaskan implikasi dari berbagai opsi pendanaan dan kepemilikan aset pada opsi-opsi pembiayaan pasca konstruksi, serta memberi contoh bagaimana pemerintah daerah dapat memiliki aset dan memungkinkan adanya kendali yang lebih besar selama pengoperasian jangka panjang dan keberlanjutan.

4.2 TEMUAN HASIL TINJAUAN

Panduan SANIMAS masih belum cukup membahas persoalan hukum mengenai kepemilikan aset. Kurangnya informasi dalam Panduan mengenai kepemilikan aset telah menciptakan kebingungan yang signifikan di antara para pemangku kepentingan mengenai serah terima – apakah ‘aset’ atau hanya ‘pengelolaan’ saja yang diserahkan, serta kebingungan mengenai siapa sesungguhnya, jika pun ada, yang memiliki sistem-sistem skala komunal yang dibangun. Persoalan ini signifikan, mengingat adanya implikasi besar atas kepemilikan aset terhadap bagaimana pemeliharaan aset tersebut akan didanai di masa depan.

Bagian ini menjelaskan aspek-aspek berikut:

1. Sejauh mana proses serah terima dirinci di dalam panduan
2. Serah terima aset program DAK
3. Serah terima aset program Reguler
4. Opsi bagi kepemilikan aset dan penyerahan kembali aset kepada pemerintah daerah
5. Status hukum KSM

4.2.1 PROSES SERAH TERIMA SEBAGAIMANA DIJELASKAN DALAM PANDUAN

Pada saat ini, baik Panduan untuk DAK maupun Reguler hanya merinci proses serah terima dari KSM kepada KPP, namun tidak memberi informasi mengenai langkah sebelumnya tentang apakah dan bagaimana KSM pada awalnya memiliki aset, atau apakah ada opsi untuk tetap mempertahankan aset pada pemerintah daerah. Program Reguler dan DAK dijalankan melalui sumber pendanaan yang

berbeda dan pelaksana yang berbeda. Keduanya dijelaskan di bagian 4.22 dan 4.2.3. Kedua Panduan berisi proses yang sama untuk serah terima antara KSM kepada KPP, namun untuk program DAK, tidak begitu jelas dalam penerjemahannya apakah hanya pengelolaannya yang diserahkan kepada KPP, atau keseluruhan infrastrukturnya.

Tabel 7 – Proses serah terima antara KSM kepada KPP yang dijelaskan di dalam Panduan

| | Panduan Reguler (5.4) | Panduan DAK (2.4.1) |
|-------------------|--|--|
| Transfer 1 | <i>Serah terima Sarana Prasarana Sanitasi oleh KSM diserahkan kepada PPK Satker PSPLP Provinsi selaku pihak pemberi tugas diketahui Kepala Desa/Lurah;</i> | <i>Serah Terima Pekerjaan di lakukan oleh Ketua KSM kepada PPK Kabupaten/kota dengan sepengetahuan SKPD dan Kepala Desa/Lurah.</i> |
| Transfer 2 | <i>Serah terima sarana prasarana sanitasi dari PPK Satker PSPLP Provinsi kepada masyarakat melalui KPP untuk dikelola. Serah terima ini dengan berita acara serah terima dan berita acara kesanggupan KPP untuk merawat diketahui Kepala Desa/Lurah yang selanjutnya membuat surat pernyataan kesanggupan menganggarkan biaya operasional dan pemeliharaan dari dana desa</i> | <i>PPK Kabupaten/kota menyerahkan pengelolaan sarana dan prasarana sanitasi tersebut kepada KPP untuk dikelola.</i> |

PPK - Pejabat Pembuat Komitmen pengadaan

Bedasarkan temuan dari penelitian sebelumnya¹¹, proses ini kemungkinan tidak mengikat secara hukum karena:

- Keperolehan aset awal oleh KSM kemungkinan tidak mengikat secara hukum. Penelitian sebelumnya menemukan bahwa kepemilikan tanah biasanya hanya didasarkan pada surat hibah, yang bukan merupakan proses transfer kepemilikan tanah yang sah sebagaimana Akta Hibah dan pencatatan di badan pertanahan. Maka tanahnya mungkin masih dimiliki pemilik awal, bukan KSM. Agar pengalihan aset mengikat secara hukum, baik aset *maupun tanah* harus dimiliki oleh entitas yang sama (KSM atau KPP), sehingga masih akan diperlukan proses tambahan untuk mentransfer tanah serta aset dari KSM kepada KPP.
- Proses pengalihan sebagaimana dijelaskan di atas kemungkinan besar tidak mengikat secara hukum, karena agar kuat secara hukum, semua pihak haruslah berupa badan pemerintah atau badan hukum, dan KSM atau KPP biasanya bukan merupakan badan hukum;
- Aset tanah dan gedung yang ditransfer kepada pemerintah haruslah sudah bersertifikat (nama pemilik diganti menjadi pemerintah) dan dicatat di daftar aset. Karena proses ini tampaknya ditujukan untuk pelaporan dan ternyata dilakukan pada hari yang sama, kecil kemungkinannya proses inventarisasi aset tersebut terjadi, sehingga pengalihan kepemilikan aset secara hukum sesungguhnya tidak terjadi.

Program DAK dan Reguler didanai melalui mekanisme yang berbeda yang berdampak pada kepemilikan aset. Oleh karena itu, bagian-bagian berikut dijabarkan untuk masing-masing program pendanaan.

4.2.2 TRANSFER ASET DAK

¹¹ Al'Afghani, MM, Paramita, D, Mitchell, C, Ross, K 2015. Review of Regulatory Framework for Local Scale "Air Limbah". Disusun oleh Center for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor and Institute for Sustainable Futures, UTS

Tabel berikut menjelaskan opsi-opsi transfer aset DAK berdasarkan wawancara dengan pemangku kepentingan pemerintah pusat dan daerah dan tinjauan atas materi panduan. Berdasarkan diskusi-diskusi terlihat bahwa proses ini masih belum dipahami dengan jelas.

Tabel 8 – Opsi transfer aset SANIMAS DAK

| Pendanaan implementasi | Belanja Modal | Belanja barang dan jasa | Belanja social |
|---|--|---|------------------------------|
| Status hukum KSM disyaratkan apa tidak | Tidak berlaku | Panduan menyebutkan bahwa KSM tidak perlu berupa badan hukum. Namun ini tidak benar. Karena memerlukan mekanisme hibah, permintaan hanya bisa diajukan oleh badan hukum. | Ya, KSM harus berbadan hukum |
| Kepemilikan aset awal | Pada awalnya merupakan aset pemerintah daerah jika dicatat dengan benar di daftar aset SKPD (jika tidak tercatat, maka tidak “dimiliki”). | Diasumsikan milik KSM, namun tidak jelas apakah KSM dapat secara sah memiliki aset jika tidak berbadan hukum, juga karena serah terima tanah biasanya tidak mengikat secara hukum (hanya berupa surat hibah). | |
| Kepemilikan aset pasca konstruksi | Antara pemerintah daerah dapat terus memiliki aset (sebagaimana yang terjadi di beberapa lokasi) atau dapat diserahkan kepada KPP, namun KPP akan harus berbadan hukum. | KSM dapat menyerahterimakan kepada KPP melalui PPK sebagaimana diindikasikan oleh Panduan. Namun proses ini kemungkinan besar tidak mengikat secara hukum karena alasan-alasan yang dijelaskan di atas pada Bagian 4.2.1. Aset dapat dihibahkan kepada pemerintah daerah sebagaimana dijelaskan di bawah ini. | |
| Dampak kepemilikan tanah | Jika aset dibangun di tanah masyarakat, ada risiko masyarakat akan menjual tanahnya. Pemerintah dapat membuat perjanjian guna lahan yang dinotarilkan dengan pemilik lahan (lihat di bawah). ¹² | Jika pemerintah akan memiliki aset tersebut, jika aset dibangun di lahan milik warga, maka akan perlu perjanjian guna lahan yang dinotarilkan. | |

Berdasarkan penelitian sebelumnya dan studi-studi kasus, beberapa pemerintah daerah beranggapan bahwa aset *harus* diserahkan kepada masyarakat. Hal ini mungkin muncul dari Kebijakan Nasional tentang Air dan Sanitasi Berbasis Masyarakat tahun 2003 yang menyatakan bahwa aset harus dimiliki oleh “masyarakat”. Namun, panduan DAK tampaknya hanya mengharuskan bahwa pengelolaannya saja yang diserahkan kepada KPP:

- *SKPD selaku atasan PPK Sanitasi menghibahkan/Serah Terima Pengelolaan prasarana DAK Sub Bidang Sanitasi tersebut kepada KPP, untuk dapat dioperasikan dan dikembangkan keberlanjutannya (D1.8).*

¹² Al’Afghani, MM, Paramita, D, Mitchell, C, Ross, K 2015. Review of Regulatory Framework for Local Scale “Air Limbah”. Disusun oleh Center for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor and Institute for Sustainable Futures, UTS

- PPK Kabupaten/kota menyerahkan **pengelolaan** sarana dan prasarana sanitasi tersebut kepada KPP untuk dikelola (D2.4.1)

Jika pengelolaannya saja yang hendak diserahkan, bukan asetnya, maka penggunaan belanja modal tampaknya tepat. Opsi lainnya yang umum digunakan adalah ‘belanja barang’. Namun opsi ini bermasalah baik karena KSM biasanya tidak berbadan hukum, juga karena asetnya tidak tercatat di daftar aset, sehingga membatasi kemampuan pemerintah untuk mendanai pemeliharaan di masa depan. Selain itu, Tinjauan Hukum ISF-UTS sebelumnya menemukan bahwa “Barang yang akan dialihkan kepada pihak ketiga atau masyarakat **tidak boleh** dikategorikan sebagai belanja modal dan harus dikategorikan sebagai belanja barang dan jasa untuk ditransfer kepada masyarakat/pihak ketiga. Barang/aset yang dikategorikan sebagai belanja modal namun tidak dialihkan kepada “masyarakat” pada praktiknya telah memicu pemeriksaan kasus korupsi.”¹³

4.2.3 TRANSFER ASET REGULER

Tabel berikut merinci opsi transfer aset Reguler berdasarkan wawancara dengan pemangku kepentingan pemerintah pusat dan daerah, komentar dari Satker provinsi pada lokakarya terakhir dan tinjauan atas materi panduan. Patut dicatat bahwa keterlibatan pemerintah daerah dalam proses ini amat tidak jelas. Dikatakan bahwa proses transfer aset dapat berlangsung 2-3 tahun karena sering dijadikan satu paket dengan aset-aset besar lainnya. PU pada saat ini sedang dalam proses mengumpulkan data tentang status aset yang dibangun melalui Satker Provinsi sejak 2006.

Tabel 9 – Opsi transfer aset SANIMAS Reguler

| Pendanaan implementasi | Belanja Barang Untuk Diserahkan Kepada Masyarakat/Pemda |
|---------------------------------------|---|
| Status hukum KSM diperlukan apa tidak | Berdasarkan Peraturan Menteri PU No. 24/PRT/M/2016 tentang mekanisme pelaksanaan anggaran dukungan pemerintah, bantuan pemerintah dapat diberikan berdasarkan proposal dari kelompok masyarakat. Maka dari itu, KSM tidak perlu berbadan hukum. |
| Kepemilikan aset awal | Kepemilikan aset awal tidak jelas, karena permintaan proposal awal untuk aset disebut bersumber dari pemerintah daerah kepada Satker Provinsi, sehingga pemerintah daerah harus menerima aset tersebut. Namun KSM secara langsung menerima dana dari Satker Provinsi untuk membangun sistem. Oleh karena itu, tidak jelas apakah KSM memiliki aset pada tahap ini, ataukah KSM membangun atas nama pemerintah provinsi untuk kemudian diserahkan kepada pemerintah daerah. Bagian ini butuh penjelasan lebih lanjut. |
| Kepemilikan aset pasca konstruksi | Walaupun Panduan mengindikasikan bahwa serah terima adalah dari KSM kepada PPK Satker Provinsi kemudian kepada KPP, Kemen PU dan perwakilan provinsi mengatakan bahwa PPK Satker Provinsi pertama akan menyerahkan aset kepada pemerintah daerah, kemudian diserahkan kepada KPP. PU mengatakan bahwa mereka sedang melakukan survei atas semua aset yang sudah dibangun oleh Satker Provinsi sejak 2006 untuk melihat apakah aset-aset tersebut masih ada pada daftar aset Satker Provinsi, ataukah sudah diserahkan kepada masyarakat. Dikatakan bahwa mereka sering |

¹³ Al’Afghani, MM, Paramita, D, Mitchell, C, Ross, K 2015. Review of Regulatory Framework for Local Scale “Air Limbah”. Disusun oleh Center for Regulation, Policy and Governance, Universitas Ibn Khaldun Bogor and Institute for Sustainable Futures, UTS

| | |
|-----------------------------------|--|
| | melakukan serah terima aset masyarakat bersamaan dengan sejumlah aset yang lebih besar pada saat bersamaan, yang biasanya terjadi beberapa lama/beberapa tahun setelah konstruksi. Jika memang demikian, maka kemungkinan aset tersebut tidak diserahkan kepada KPP (beberapa lama setelah konstruksi) dan aset tersebut mungkin masih milik pemerintah. |
| Pengaruh kepemilikan tanah | Walaupun sebagian besar sistem skala komunal dibangun di atas lahan masyarakat, sekarang mungkin bahwa sistem ini dibangun di tanah pemerintah. Perwakilan PU mengatakan bahwa <i>“jika sistem-sistem ini dibangun di tanah pemerintah, maka asetnya dimiliki oleh pemerintah, dan jika dibangun di tanah masyarakat, maka ia milik masyarakat”</i> . Akan tetapi, hal ini tidak dirinci di dalam Panduan. |

Belanja modal pada saat ini tidak digunakan dalam SANIMAS Reguler dan tidak jelas apakah ini dapat digunakan sebagai cara untuk menyederhanakan transfer aset dan membolehkan pemerintah daerah untuk memiliki aset. Potensi untuk mendanai Sanimas Reguler melalui belanja modal, yakni mekanisme pendanaan normal untuk investasi infrastruktur besar, perlu ditelusuri. Tinjauan atas mekanisme pendanaan yang paling layak perlu mempertimbangkan manfaat dan risiko yang dinilai berkenaan dengan implikasi jangka panjang terhadap keberlanjutan, dengan maksud untuk memungkinkan masyarakat dan pemerintah daerah memainkan perannya masing-masing. Tampaknya bahwa di bawah pengaturan saat ini, menggunakan belanja ‘barang dan jasa’ membatasi peran-peran ini.

4.2.4 OPSI BAGI KEPEMILIKAN ASET PEMERINTAH DAERAH DAN PENYERAHAN KEMBALI ASET

Karena pengaruh dukungan keuangan berjalan dan pengelolaan sistem skala komunal, proses kepemilikan aset perlu diperjelas dan status aset-aset yang ada perlu dikaji, baik untuk program Reguler maupun DAK.

Keunggulan dan kelemahan dari pemerintah ataupun masyarakat memiliki aset harus dijelaskan dalam Panduan agar mengampu pemerintah daerah menentukan pilihan yang berdasar mengenai mekanisme mana yang paling cocok untuk situasi merela. Berikut ini adalah beberapa persepsi manfaat dan risiko dari kepemilikan aset oleh masyarakat dan pemerintah daerah (lihat Tabel 10).

Tabel 10 – Manfaat dan Risiko Kepemilikan Aset Masyarakat dan Pemerintah

| | Aset Milik Masyarakat | Aset Milik Pemerintah |
|----------------|---|--|
| Manfaat | <ul style="list-style-type: none"> Masyarakat dapat memiliki kendali penuh (jika mereka mau) | <ul style="list-style-type: none"> Mendanai biaya besar melalui belanja modal. Ada lembaga formal yang bertanggung jawab atas aset signifikan – kapasitas untuk memelihara aset dalam jangka panjang. Dapat memadukan sistem skala komunitas ke dalam pelayanan skala kota. |
| Risiko | <ul style="list-style-type: none"> Pemeliharaan dan perluasan besar rumit dan mahal, namun akses masyarakat pada dana pemerintah | <ul style="list-style-type: none"> Potensi (belum terbukti) berkurangnya keterlibatan masyarakat untuk memelihara aset. |

| | | |
|--|---|---|
| | <p>akan terbatas, khususnya jika KPP tidak berbadan hukum, dalam hal mana tidak ada akses sama sekali.</p> <ul style="list-style-type: none"> • Sebagian besar sistem tidak dimiliki secara hukum. | <ul style="list-style-type: none"> • Memerlukan perjanjian guna lahan atau pemerintah harus memiliki tanahnya. |
|--|---|---|

Jika pemerintah daerah memutuskan untuk memiliki aset agar lebih mampu mengelola dan membiayai pemeliharaan dan mengelola potensi risiko masyarakat menjual tanahnya, opsi-opsi berikut ada agar aset dapat diserahkan kembali kepada pemerintah daerah:

Untuk sistem yang dibangun di tanah pemerintah

- i. Surat hibah pertama dibatalkan.
- ii. Buat Surat Perjanjian Hibah.
- iii. Pemilik lahan membuat waiver (dalam hal hak atas tanah).
- iv. Tanah dicatat dalam daftar inventaris sebagai milik pemerintah. Bangunan diinventarisasi sebagai aset pemerintah.

Untuk sistem yang dibangun di tanah masyarakat

- i. Buat perjanjian awal dengan pemilik tanah mengenai penggunaan lahan (dinotarilkan)
- ii. A) Opsi Izin Mendirikan Bangunan (IMB): Membawa perjanjian di atas untuk didaftarkan IMB-nya atas nama pemerintah
 B) Opsi Hak Guna Bangunan (HGB) dan IMB (tidak untuk aset yang didefinisikan sebagai bangunan, dapat berupa IPAL di bawah tanah): Membuat Akta yang Menghibahkan HGB atas Properti (Notaris); Mengajukan pendaftaran HGB kepada BPN; Memasukkan aset HGB ke dalam daftar aset pemerintah daerah.
 C) Opsi Surat Bukti Kepemilikan Bangunan Gedung (SBKBG) (untuk aset bawah tanah). Namun tidak semua pemerintah menerbitkan SBKBG.

Opsi lain berupa pemerintah membeli lahan dikatakan sebagai proses yang sulit dan lama untuk sistem yang didanai melalui belanja barang, karena memerlukan persetujuan DPRD. Perlu dicatat bahwa proses-proses ini lebih kompleks dibandingkan jika belanja modal digunakan dan aset masih berada di daftar aset pemerintah.

4.2.5 STATUS HUKUM KSM

Sebagaimana dijelaskan pada bagian 0, hibah pemerintah sering kali hanya dapat diberikan kepada badan hukum, dan badan hukum tersebut sudah harus terdaftar selama 3 tahun sebelum menerima pendanaan.¹⁴ Selain itu, agar transfer aset awal dari KSM kepada PPK lalu kepada KPP mengikat secara hukum, semua pihak harus berbadan hukum.

Penelitian UTS-ISF menemukan hanya sangat sedikit KSM/KPP yang berbadan hukum, dan butuh biaya sampai Rp 5 juta untuk mendapatkan status tersebut. Tidak jelas apakah pengeluaran ini dapat menjadi bagian dari insepisi proyek, karena beberapa pemangku kepentingan melaporkan bahwa pendanaan hanyalah untuk material yang tidak dapat disediakan oleh masyarakat sendiri, dan mendanai biaya hukum akan menyimpang dari konsep pemberdayaan masyarakat.

¹⁴ Laporan baru Mova

Syarat agar KSM/KPP berbadan hukum dicantumkan berbeda di dalam kedua panduan (ditunjukkan di Table 11).

Table 11 – Persyaratan Status Hukum untuk KSM/KPP

| Panduan | KSM | KPP* |
|---------|---|--|
| Reguler | Harus memiliki Anggaran Dasar dan Anggaran Rumah Tangga, namun tidak harus memiliki status hukum. (R4.1) | Jika KPP akan mengelola dana dari pihak lain, KPP harus berbadan hukum (R2.4.3, R4.3) |
| DAK | Jika DAK dialokasikan melalui hibah atau belanja sosial, KSM penerima manfaat harus ebrbadan hukum. Jika yang digunakan adalah belanja modal atau belanja barang, KSM tidak perlu berbadan hukum dan cukup diformalisasi melalui SK (surat keputusan kades/lurah setempat) dan dapat dilegasliasi oleh notaris (D2.2.4) | KPP diharuskan memiliki AD/ART dan akta notaris. Disarankan agar KPP mendapatkan status badan hukum (D2.2.5) |

* Ini tidak mencakup syarat bahwa KPP harus berbadan hukum jika akan menerima aset/tanah

Opsi alternatif untuk setiap KSP dan KPP yang mendapatkan status badan hukum adalah untuk membentuk satu badan hukum di kota/kabupaten yang mewakili dan terdiri dari masing-masing KSM. Asosiasi ini kemudian dapat mengajukan dan menerima pendanaan yang akan digunakan oleh masing-masing KSM/KPP, namun ini akan membutuhkan keterampilan yang kuat, manajemen dan akuntabilitas bagi semua pemangku kepentingan (pemerintah daerah dan KSM/KPP).

4.3 REKOMENDASI

Dua rekomendasi berikut ini didasarkan pada pandangan yang mendorong kepemilikan aset pemerintah daerah. Kepemilikan aset dapat membantu mengamankan keberlanjutan jangka panjang karena dapat mendukung kemampuan pemerintah daerah dalam mendanai pemeliharaan besar, rehabilitasi dan perluasan sistem, yang suatu saat pasti akan dibutuhkan untuk semua sistem skala komunal. Selain itu, Panduan saat ini (baik Panduan Reguler maupun DAK) menjelaskan proses ‘serah terima’ yang tidak mencakup aspek-aspek penting kepemilikan aset, seperti kepemilikan tanah dan peralihannya, dan pentingnya ada badan hukum. Hal ini merupakan kekurangan besar, mengingat pentingnya kepemilikan aset dalam menjamin pengoperasian yang berkelanjutan atas aset tersebut.

10. Merevisi Panduan DAK sebagaimana berikut ini:

- a. Mendukung pemerintah daerah untuk menentukan pilihan terinformasi tentang mekanisme pendanaan: Dalam Panduan, memberikan penjelasan yang baik bahwa implikasi pembiayaan pasca konstruksi tergantung pada rekening belanja yang dipilih. Jelaskan bahwa jika yang digunakan adalah rekening belanja modal, maka aset tersebut harus dimasukkan ke dalam daftar aset, dan pemerintah daerah dapat dengan mudah mendanai biaya yang lebih besar di masa depan. Jelaskan juga bahwa jika belanja barang dan jasa (belanja barang) yang digunakan, pilihan untuk mendanai biaya besar di masa depan terbatas, dan KSM/KPP harus merupakan badan hukum untuk dapat mengajukan bantuan keuangan dari pemerintah. Kemudian, merevisi ketidakakuratan dalam Panduan DAK Bagian 2.2.4 agar jelas bahwa KSM harus berupa badan hukum agar dapat menerima *belanja barang*, karena KSM harus mengajukan permintaan melalui proses hibah.

- b. Meninjau dan merevisi proses serah terima (Panduan DAK Bagian 2.4.1):
- Proses serah terima yang diusulkan dari KSM kepada pemerintah daerah untuk KPP kemungkinan besar tidak mengikat secara hukum. Maka penting untuk menyertakan penjelasan tentang siapa yang memiliki aset pada awalnya, karena tidak jelas apakah atau bagaimana KSM sampai dapat 'memiliki' aset (seperti yang diasumsikan dalam Panduan) dan bahkan dapat melakukan 'serah terima' aset tersebut. Apakah KSM memiliki aset pada awalnya tergantung pada kepemilikan tanah (pemerintah atau masyarakat), pengalihan tanah dan apakah KSM memiliki status hukum. Namun, pada saat ini tak satupun dari aspek-aspek ini disebutkan dalam Panduan dan penjelasan ini harus ditambahkan ke dalam pemutakhiran Panduan di masa depan.
 - Mengklarifikasi apakah serah terima yang dijelaskan pada Bagian 2.4.1 dari pemerintah daerah kepada KPP adalah pengelolaan saja, atau juga aset, karena sekarang hal ini masih membingungkan. Kami merekomendasikan agar yang diserahkan hanya *pengelolaan saja*, dan agar aset tersebut tetap dipegang oleh pemerintah daerah dan tetap tercantum dalam daftar aset.

11. Merevisi Panduan Reguler sebagai berikut:

- a. Meninjau pilihan yang dibuat pada tahun 2016 untuk menggunakan belanja barang sebagai mekanisme pendanaan untuk SANIMAS Reguler, dan mempertimbangkan manfaat dan kendala apapun untuk menggunakan belanja modal. Penggunaan belanja modal akan lebih mendukung kepemilikan aset pemerintah daerah, dan lebih mencerminkan sifat pendanaannya, yakni untuk infrastruktur skala besar yang dimaksudkan untuk beroperasi dalam jangka panjang.
- b. Meninjau dan merevisi proses serah terima (Panduan Reguler Bagian 5.4):
- Proses serah terima yang diusulkan dari KSM kepada PPK Provinsi kepada KPP rumit dan kemungkinan besar tidak mengikat secara hukum. Penting untuk menyertakan deskripsi siapa yang memiliki aset di awal, karena tidak jelas apakah atau bagaimana KSM sampai 'memiliki' aset (seperti yang diasumsikan dalam Panduan) dan bahkan dapat melakukan 'serah terima' atas aset tersebut. Apakah KSM memiliki aset pada awalnya atau tidak tergantung pada kepemilikan tanah (pemerintah atau masyarakat), proses pengalihan tanah dan apakah KSM memiliki status hukum. Namun, pada saat ini tidak satupun dari aspek-aspek ini disebutkan dalam Panduan.
 - Selain itu, pemutakhiran terhadap Panduan harus menjelaskan jika dan kapan pemerintah daerah dapat memiliki kesempatan untuk mencatat aset pada daftar aset mereka. Tidak adanya penjelasan apapun dalam Panduan tentang peran pemerintah daerah dalam proses serah terima – meskipun permintaan proposal awal untuk sistem Sanimas Reguler secara resmi disampaikan oleh pemerintah daerah kepada Satker PU Provinsi – merupakan kekurangan signifikan yang perlu diatasi.
 - Kami merekomendasikan agar *pengelolaan saja* yang diserahkan kepada KPP, dan bahwa pilihan tersebut diberikan agar aset dapat tetap dipertahankan oleh pemerintah daerah pada daftar aset mereka.

Rekomendasi lanjutan berikut ini merupakan bidang-bidang yang penting untuk dipertimbangkan bagi SANIMAS DAK dan Panduan Reguler ke depannya, karena dapat membantu mengatasi aspek bermasalah saat ini dalam pengelolaan sistem sanitasi skala komunal berjalan.

12. Mengkonfirmasi bahwa kompleksitas hukum yang ditimbulkan dari keharusan untuk membuat dua badan hukum KSM dan KPP melebihi manfaatnya (karena untuk menjalankan peran mereka saat ini dengan benar, kedua entitas harus berbadan hukum).

13. Mempertimbangkan potensi untuk membentuk satu badan hukum KPP tingkat kota/kabupaten mewakili masing-masing KPP sehingga menciptakan sarana bagi pemerintah daerah untuk menyediakan dana hibah yang ada pada KPP informal tingkat lokal untuk mendanai biaya besar. Hal ini bisa mengatasi kendala saat ini di mana KPP tidak dapat mengajukan dananya karena jarang sekali KPP berbadan hukum, dan di kota-kota di mana banyak KPP akan tidak praktis dan mahal bagi semuanya untuk berbadan hukum.
14. Menjelaskan secara rinci dalam kedua Panduan bagaimana aset dapat diserahkan kembali kepada pemerintah dan dimasukkan dalam daftar aset (seperti yang dijelaskan pada Bagian 4.2.4). Ini dapat digunakan untuk sistem yang ada.
15. Mengingat pentingnya kepemilikan aset, status semua aset sanitasi skala komunal yang ada harus dinilai untuk program Reguler (oleh PU) dan DAK (oleh pemerintah daerah terkait). Informasi ini kemudian dapat digunakan untuk menyelesaikan proses pengalihan aset dan untuk melakukan perencanaan yang relevan untuk membiayai biaya besar (rehabilitasi, penambahan sambungan rumah dan retrofit) sistem-sistem ini.

ANNEXE 3: A - Case Study Key Findings Kabupaten Bantaeng (English)

B - Case Study Key Findings Kabupaten Bantaeng (Indonesian)

Co-management of communal-scale sanitation in Kabupaten Bantaeng

Kabupaten Bantaeng has made significant progress on the implementation of community-scale sanitation systems in recent years. A total of 22 systems have been implemented since 2010, with the majority build in 2014 and 2015. However available data indicates communal-scale systems both in Kabupaten Bantaeng and in Indonesia more widely are not sufficiently maintained, desludging is not performed and user fee collection practices are highly variable.¹ In Kota Bantaeng only 33% of communities had set user fees and only 2 out of 22 locations collected user fees. Recent research from the World Bank² and UTS-ISF therefore suggest moving from a community-management to co-management model in which local government takes on greater responsibility to support the communities effectively manage these systems in the long-term.

Kabupaten Bantaeng is one of few cities in Indonesia showing willingness and who has taken initiative to move towards co-management. There are strong internal drivers for improving the monitoring of community-scale sanitation, the proposal of rewards for KSM/BPS who excel in ongoing maintenance, agreement to formalise KSM/BPS authority to collect user fees and a strong commitment to provide financial support for major repairs. As a clear example, DINAS PU has planned and applied for IDR 90 million for 2017 to support major maintenance and the extension of household connections for existing communal scale sanitation systems.

Kabupaten Bantaeng has also built solid institutional foundations to enable the development of existing co-management initiatives. In 2013 and 2014 the Whitebook, SSK and Sanitation Program Memorandum were developed and the Bantaeng sanitation budget has increased from 772 million spent between 2009 and 2012, to 833 billion projected to be spent between 2014 and 2018. In 2014 UPTD PAL was established under PU and is responsible for sanitation service provision. The Bupati decree on domestic wastewater allocated on position within UPTD PAL for a patron/guide to support communal-scale systems and community participation, however this positions is not currently filled.³

Minimum local government responsibilities

Based on research from World Bank and UTS-ISF, a set of minimum local government responsibilities have been development to support the establishment of co-management models.

| Community operate | Local government support |
|--|---|
| <i>Within KSM/KPP capacity:</i> <ol style="list-style-type: none"> Cleaning, remove rubbish & unblock pipes Minor repairs Collect user fees and fund regular costs Request support | <i>Proposed minimum responsibilities:</i> <ol style="list-style-type: none"> Monitor and maintain records Technical and Social Support to KSM/KPP Formalise fee setting and collection Fund Major Costs |

Kabupaten Bantaeng has already shown significant progress in relation to these minimum responsibilities and has committed to even further improvements. The following page summarises progress already made and possible ways forward for each of minimum responsibility to ensure long-term sustainable service provision under co-management.

¹ Mitchell, C and Ross, K. 2016. Findings and Recommendations. A synthesis for key stakeholders community scale sanitation in Indonesia. Prepared by the Institute for Sustainable Futures, University of Technology Sydney. <http://communitysanitationgovernance.info/>

² Eales, K., Siregar, R., Febriani, E., & Blackett, I. (2013). Review of Community Managed Decentralized Wastewater Treatment Systems in Indonesia. Final Report. World Bank Water and Sanitation Program.

³ 2015 Bupati decree about domestic wastewater No 37/2015.

1. Monitor and maintain records

Kabupaten Bantaeng is committed to consolidate and utilise existing monitoring data and plans to setup a statistics centre and conduct citywide health and sanitation surveys. The environmental agency BAPPEDALDA monitors effluent (although focused on environmental parameters), DINKES has data on groundwater and AKSANSI conducted technical and institutional monitoring of 21 communal scale systems in collaboration with UPTD PAL as part of this project in 2016.

Ways forward

- Clarify leadership for coordinating monitoring and clarify responsibility for data collection.
- Consolidate existing data and share findings with all stakeholders so appropriate action can be taken.
- Consider whether UPTD PAL human resources can be increased and build staff capacity for monitoring technical, institutional and financial aspects. If human resources are limited, consider whether AKSANSI could be formally engaged (and paid) to support regular monitoring.

2. Provide technical and social support

There is a strong commitment for UPTD-PAL to provide ongoing technical support to KSM/BPSs and Kelurahan to provide social support. PU/UPTD PAL proposed to fund 4 operators through UPTD-PAL (selected from existing communal scale operators) to operate and maintain 5 systems each. The UPTD PAL position of sanitation guide could be filled to provide further formal support and responsibility. PU committed to ensure all future systems connect both black and grey water.

Ways forward

- Clarify roles and responsibilities of UPTD PAL, the Kelurahan/desa's and local health centre (PUKESMAS) in the co-management of communal-scale systems. In the future consider filling the role allocated to UPDT for the empowerment/capacity building of KSM/BPS.
- Provide rewards for KSM/BPS or Kelurahans for improved management/institutional aspects.
- Consider the complexities and potential conflicts in selecting operators to oversee systems and how UPTD PAL will define the role and support the skills needed.

3. Formalise fee setting and collection

Monitoring found only 2 communities collected user fees and 33% had set a fee. Kabupaten Bantaeng agreed to engage Kelurahans to provide support to KSM/BPS to formalise fees and collection through a Surat Keputusan and set a citywide maximum and minimum fee.

Ways forward

- Engage Kelurahans and define an approach to authorise use fees and KSM/BPS collection.
- Train KSM/BPS in financial management.

4. Fund major costs

Kabupaten Bantaeng has shown motivation and ability to fund major costs. Investing IDR 50 million in 2015, IDR 75 million in 2016 and PU has planned and requested IDR 90 million for 2017. As part of their commitment to support communal-scale systems, Kabupaten Bantaeng choses to fund DAK systems as capital expense and register it on the local government asset register, only handing over management to the community to enable funding repairs as capital maintenance expenditure.

Ways forward

- Explore mechanisms to transfer assets owned by communities or provincial government to local government asset register.
- Develop clear and transparent process for selecting communities to fund extensions and repairs based on monitoring database and continue to increase budget to fund major repairs.
- Consider whether the role of compiling monitoring data, developing proposals and managing improvements requires additional resources within UTPD or could be outsourced.

Pengelolaan bersama sanitasi skala komunal di Kabupaten Bantaeng

Kabupaten Bantaeng telah membuat kemajuan signifikan dalam pelaksanaan sistem sanitasi skala komunal dalam beberapa tahun terakhir. Sebanyak 22 sistem telah dibangun dan dijalankan sejak tahun 2010, sebagian besar dibangun pada tahun 2014 dan 2015. Namun data yang tersedia menunjukkan sistem skala komunal, baik di Kabupaten Bantaeng dan lebih luasnya di Indonesia, belum terpelihara dengan baik, penyedotan tinja tidak dilakukan, dan praktik pemungutan iuran pengguna sangat bervariasi.¹ Di Kota Bantaeng, misalnya, hanya 33% masyarakat yang telah menetapkan besaran iuran dan hanya dua dari 22 lokasi yang dapat mengumpulkan iuran pengguna. Oleh karena itu, penelitian terbaru dari Bank Dunia² dan UTS-ISF menyarankan untuk beralih dari model pengelolaan komunitas ke pengelolaan bersama, di mana pemerintah daerah mengambil tanggung jawab lebih besar untuk secara efektif mendukung masyarakat mengelola sistem ini dalam jangka panjang.

Kabupaten Bantaeng merupakan salah satu dari beberapa daerah di Indonesia yang telah menunjukkan kesediaan dan mengambil inisiatif untuk beralih menuju pengelolaan bersama. Terdapat penggerak internal yang kuat untuk meningkatkan pemantauan sanitasi skala komunal, usulan untuk memberi imbalan kepada KSM/BPS yang unggul dalam pemeliharaan berkelanjutan, kesepakatan untuk formalisasi kewenangan KSM/BPS dalam pemungutan iuran pengguna dan komitmen kuat untuk memberi dukungan keuangan untuk biaya perbaikan besar. Sebagai contoh nyata, DINAS PU telah merencanakan dan mengajukan Rp 90 juta untuk tahun 2017 untuk mendukung kegiatan pemeliharaan besar dan penambahan sambungan rumah tangga untuk sistem sanitasi skala komunal yang ada.

Kabupaten Bantaeng juga telah membangun landasan kelembagaan yang kuat untuk memungkinkan pengembangan inisiatif pengelolaan bersama yang sudah ada. Pada tahun 2013 dan 2014 Buku Putih, SSK dan Memorandum Program Sanitasi dikembangkan dan anggaran sanitasi Bantaeng meningkat dari Rp 772 juta yang dibelanjakan antara tahun 2009 dan 2012, menjadi Rp 833 juta yang diproyeksikan akan digunakan antara tahun 2014 dan 2018. Pada tahun 2014, UPTD PAL didirikan di bawah PU dan bertanggung jawab atas penyelenggaraan layanan sanitasi. Keputusan Bupati Bantaeng tentang air limbah rumah tangga mengalokasikan jabatan dalam UPTD PAL sebagai pembina untuk mendukung sistem skala komunal dan partisipasi masyarakat. Namun posisi tersebut saat ini masih belum terisi.³

Tanggung jawab minimum pemerintah daerah

Berdasarkan penelitian Bank Dunia dan UTS-ISF, serangkaian tanggung jawab minimum pemerintah daerah telah dikembangkan untuk mendukung pembentukan model pengelolaan bersama.

| Masyarakat mengoperasikan | Dukungan pemerintah daerah |
|--|--|
| <p><i>Dalam kapasitas KSM/KPP:</i></p> <ol style="list-style-type: none"> Membersihkan, mengangkat sampah & melancarkan pipa tersumbat Perbaikan kecil Memungut iuran pengguna dan mendanai biaya-biaya reguler Meminta dukungan | <p><i>Usulan tanggung jawab minimum:</i></p> <ol style="list-style-type: none"> Memantau dan mengelola data Dukungan Teknis dan Sosial bagi KSM/KPP Formalisasi pengaturan dan pemungutan iuran Mendanai biaya-biaya besar |

Kabupaten Bantaeng telah menunjukkan kemajuan signifikan berkenaan dengan tanggung jawab minimum tersebut dan telah berkomitmen pada perbaikan lebih lanjut lagi. Halaman berikut ini merangkum kemajuan yang telah dibuat dan kemungkinan jalan ke depan bagi masing-masing tanggung jawab minimum untuk memastikan penyediaan layanan berkelanjutan jangka panjang di bawah pengelolaan bersama.

¹ Mitchell, C and Ross, K. 2016. Findings and Recommendations. A synthesis for key stakeholders community scale sanitation in Indonesia. Disiapkan oleh Institute for Sustainable Futures, University of Technology Sydney. <http://communitysanitationgovernance.info/>

² Eales, K., Siregar, R., Febriani, E., & Blackett, I. (2013). Review of Community Managed Decentralized Wastewater Treatment Systems in Indonesia. Laporan Akhir. World Bank Water and Sanitation Program.

³ Keputusan Bupati tahun 2015 tentang air limbah rumah tangga Nomor 37/2015.

1. Memantau dan mengelola data

Kabupaten Bantaeng telah berkomitmen untuk konsolidasi dan menggunakan data pemantauan yang sudah ada, dan berencana untuk mendirikan pusat statistik dan melakukan survei kesehatan dan sanitasi seluruh kota. BAPPEDALDA memantau efluen (meskipun terfokus pada parameter lingkungan), DINKES memiliki data tentang air tanah dan AKSANSI melakukan pemantauan teknis dan kelembagaan terhadap 21 sistem skala komunal, bekerja sama dengan UPTD PAL sebagai bagian dari proyek ini pada tahun 2016.

Ke depan

- Memperjelas kepemimpinan untuk koordinasi pemantauan dan memperjelas tanggung jawab pengumpulan data.
- Konsolidasi data yang ada dan membagi temuan dengan semua pemangku kepentingan sehingga tindakan tepat dapat diambil.
- Mempertimbangkan apakah sumber daya manusia UPTD PAL dapat ditingkatkan dan membangun kapasitas staf untuk memantau aspek teknis, kelembagaan dan keuangan. Jika sumber daya manusia terbatas, mempertimbangkan apakah AKSANSI dapat secara resmi terlibat (dan dibayar) untuk mendukung pemantauan berkala.

2. Memberikan dukungan teknis dan sosial

UPTD-PAL memiliki komitmen kuat untuk memberikan dukungan teknis berkelanjutan kepada KSM/BPS, demikian pula Kelurahan untuk memberikan dukungan sosial. PU/UPTD PAL mengusulkan untuk mendanai empat operator melalui UPTD-PAL (dipilih dari operator skala komunal yang ada) untuk mengoperasikan dan memelihara masing-masing sebanyak lima sistem. Posisi pembina sanitasi UPTD PAL dapat diisi untuk memberikan dukungan resmi dan tanggung jawab lebih lanjut. PU berkomitmen untuk memastikan bahwa semua sistem di masa mendatang menghubungkan baik air kakus (*blackwater*) maupun air cucian (*greywater*).

Ke depan

- Memperjelas peran dan tanggung jawab UPTD PAL, Kelurahan/desa dan PUSKESMAS dalam pengelolaan bersama sistem skala komunal. Di masa depan pertimbangkan mengisi peran yang dialokasikan kepada UPTD untuk pemberdayaan/pengembangan kapasitas KSM/BPS.
- Memberikan penghargaan kepada KSM/BPS atau Kelurahan atas peningkatan aspek pengelolaan/kelembagaan.
- Mempertimbangkan kompleksitas dan potensi konflik dalam memilih operator untuk mengawasi sistem dan bagaimana UPTD PAL akan menentukan peran dan mendukung keterampilan yang dibutuhkan.

3. Formalisasi penetapan dan pemungutan iuran

Pemantauan hanya menemukan dua komunitas yang memungut iuran pengguna, dan 33% telah menetapkan besaran iuran. Kabupaten Bantaeng setuju untuk melibatkan Kelurahan untuk memberikan dukungan kepada KSM/BPS untuk formalisasi iuran dan pemungutan melalui sebuah Surat Keputusan dan menetapkan iuran maksimum dan minimum bagi seluruh kota.

Ke depan

- Melibatkan Kelurahan dan menentukan pendekatan untuk memberi otorisasi terkait iuran pengguna dan pemungutan oleh KSM/BPS.
- Melatih KSM/BPS dalam pengelolaan keuangan.

4. Membiayai dana besar

Kabupaten Bantaeng telah menunjukkan motivasi dan kemampuan untuk mendanai biaya besar, dengan investasi sebesar Rp 50 juta pada tahun 2015, Rp 75 juta pada tahun 2016. Untuk tahun 2017, PU telah merencanakan dan mengajukan Rp 90 juta untuk pemeliharaan. Sebagai bagian dari komitmen mereka dalam mendukung sistem skala komunal, Kabupaten Bantaeng memilih untuk mendanai sistem DAK sebagai belanja modal dan mendaftarkannya dalam daftar aset pemerintah daerah, dan hanya menyerahkan pengelolaannya kepada masyarakat untuk memungkinkan pendanaan perbaikan sebagai pengeluaran pemeliharaan modal.

Ke depan

- Menelusuri mekanisme untuk mentransfer aset yang dimiliki oleh masyarakat atau daftar aset pemerintah provinsi ke pemerintah setempat.
- Mengembangkan proses yang jelas dan transparan untuk memilih komunitas untuk didanai perluasan dan perbaikannya berdasarkan basis data pemantauan dan terus meningkatkan anggaran untuk mendanai perbaikan besar.
- Mempertimbangkan apakah peran penggabungan data pemantauan, mengembangkan proposal dan mengelola perbaikan membutuhkan sumber daya tambahan dalam UPTD atau dapat dialihdayakan (*outsource*).

ANNEXE 4: A - Case Study Key Findings Kota Bogor (English)

B - Case Study Key Findings Kota Bogor (Indonesian)

Co-management of community-scale sanitation in Kota Bogor

Kota Bogor has made significant progress on the implementation of community-scale sanitation systems. A total of 52 systems were implemented between 2007 and 2015, another 20 systems are planned for construction in 2016 and an additional 83 systems for 2017. However available data indicates that communal-scale systems both in Kota Bogor and in Indonesia more widely, are not sufficiently maintained, desludging is not performed and ongoing community participation/management (such as paying or collecting user fees) are highly variable. Recent research from the World Bank and UTS-ISF therefore suggest moving from a community-management to co-management model in which local government takes on greater responsibility to support the communities effectively manage these systems in the long-term.

Kota Bogor is one of few cities in Indonesia already committed to moving towards co-management. In January 2015, a new department for water and wastewater was launched under Wasbangkim and they were formally allocated responsibility for community-scale systems, which had previously been supported by UPTD PAL. The new department has since conducted a feasibility study of the technical status of 47 systems and in 2015 and 2016 supported some communities (5-6 per year) with system rehabilitation, awareness raising and extension of pipe networks. In 2015 the budget for support was IDR 500 million, in 2016 IDR 1.5 billion was available and in 2017 will likely be around IDR 1 billion. In 2013 and 2014 UPTD allocated funding to support KSMs.

In addition to the new department, Kota Bogor has setup a strong institutional foundation, which can support the new co-management model. A high capacity and active Pokja Sanitasi is already in place, since 2007 FKS has played an important role in supporting community-scale systems and since 2013 AKSANSI has supported KSMs in ongoing operation and maintenance.

In addition to the strong institutional foundation and funding initiative to support KSMs, Kota Bogor also developed a wastewater management PERDA which is currently being reviewed by the House of Representatives. While the PERDA clarifies roles in relation to centralised sanitation and opens up opportunities for PDAM to get involved in regular desludging, the current draft however does not sufficiently clarify the important role local government is already and could play in relation co-managing communal-scale systems. Ideally if the Perda can be revised before it is accepted, it would be beneficial to make recommended changes that would clarify local governments' and KSM/KPP's mutual obligations, otherwise further clarification through Perwalis would be needed.

Minimum local government responsibilities

Based on research from World Bank and UTS-ISF, a set of minimum local government responsibilities have been development to support the establishment of co-management models.

| Community operate | Local government support |
|---|---|
| <p><i>Within KSM/KPP capacity:</i></p> <ol style="list-style-type: none"> Cleaning, remove rubbish & unblock pipes Minor repairs Collect user fees and fund regular costs Request support | <p><i>Proposed minimum responsibilities:</i></p> <ol style="list-style-type: none"> Monitor and maintain records Technical and Social Support to KSM/KPP Formalise process of fee setting and collection Fund Major Costs |

Kota Bogor has already shown significant progress in relation to these minimum responsibilities and has committed to even further improvements. The following page summarises progress already realised and possible ways forward for each minimum responsibility to ensure long-term sustainable service provision under co-management.

1. Monitor and maintain records

Some monitoring data is already available in Kota Bogor; Wasbangkim has conducted a feasibility study of 47 systems, BPLH has conducted river quality monitoring and effluent monitoring of 40 systems and AKSANSI conducted monitoring of 41 systems. While the data has been gathered, it has not yet been collated or shared with all relevant SKPDs.

Ways forward

- Consolidate Wasbangkim, BPLH and AKSANSI monitoring data in a centralised database and share it with relevant stakeholders to ensure appropriate planning and corrective action.
- Ongoing monitoring is needed including both technical and institutional aspects and there needs to be a commitment and formal allocation of responsibility to conduct this annually.
- Develop a transparent process to select which systems to fund rehabilitation and extension linked with sanitation risks and objectives.

2. Provide technical and social support

Kota Bogor has demonstrated leadership in incentivising better functioning KSM/KPPs through their SANIMAS awards which recognise well performing KSMs and Wasbangkim have run empowerment workshops 2016. There was agreement that the Kelurahan should take on responsibility for monitoring and supporting the KSM/KPP and there was discussion whether government can support KPPs becoming legal entities. Desludging however remains an urgent challenge, only one system has been desludged, and access to systems is difficult. UPTD has agreed to support desludging however innovative solutions to access steep and narrow areas is needed.

Ways forward

- Clarify roles of Wasbangkim, AKSANSI, FKS and Kelurahan in supporting KSMs/KPPs. The draft Perda allocated responsibility solely to the community and additional regulations about local government responsibilities may be required.
- Sanitation awards or other incentives could be considered to encourage Kelurahan support.
- Support KSM/KPPs to become legal entities if government does not plan to own assets.
- Ensure desludging is considered when new systems are implemented (in particular access for emptying) and support communities in conducting desludging.

3. Formalise process for fee setting and collection

It was agreed that user fees should be paid however they need to be affordable considering the low income households. At present 44% of communities have not set fees and many report fee collection is difficult. It was agreed that RW and Kelurahan should support the formalisation of iuran through local regulations and increasing authority of KSM/KPP in fee collection.

Ways forward

- Inform Kelurahan and RW about the need to support communities in setting user fees and authority in collection through local regulations and promotion.
- Local government to support KSM/KPP improve their skills in finance management and incentivise collection.
- Consider allowing alternative fee structures (tariff or retribusi) or fee collection mechanisms, particularly if citywide sanitation tariffs are introduced (ie. for desludging).

4. Fund major costs

UPTD and Wasbangkim have provided support to some communities for major repairs since 2013. Improvements have included roof replacement, fixing of pipes, constructing new water wells and additional household connections. There is however a need and opportunity for increasing support and to ensure that the issues identified in the monitoring are addressed and systems optimised.

Ways forward

- Develop a transparent process to prioritise investments, both in choosing location and identifying what is to be done at each location.
- Develop a clear and transparent process for applying for funds and inform all communities of the process.

Pengelolaan bersama sanitasi skala komunal di Kota Bogor

Kota Bogor telah membuat kemajuan signifikan dalam pelaksanaan sistem sanitasi skala komunal. Sebanyak 52 sistem telah dibangun dan dijalankan antara tahun 2007 dan 2015. 20 sistem lagi sedang direncanakan untuk dibangun tahun 2016 dan 83 sistem untuk tahun 2017. Namun data yang tersedia menunjukkan bahwa sistem skala komunal di Kota Bogor, dan lebih luas lagi juga di Indonesia, tidak cukup terpelihara, penyedotan tinja tidak dilakukan dan keterlibatan/pengelolaan oleh masyarakat yang berkelanjutan (seperti pemungutan iuran pengguna) sangat bervariasi. Oleh karena itu, penelitian terbaru dari Bank Dunia dan UTS-ISF menyarankan untuk beralih dari sebuah model pengelolaan oleh masyarakat menuju model pengelolaan bersama di mana pemerintah daerah mengambil tanggung jawab yang lebih besar untuk mendukung masyarakat agar dapat efektif mengelola sistem dalam jangka panjang.

Kota Bogor merupakan salah satu dari beberapa kota di Indonesia yang sudah berkomitmen untuk beralih menuju pengelolaan bersama. Pada bulan Januari 2015, sebuah unit baru untuk air dan air limbah dibentuk di bawah Wasbangkim dan mereka secara resmi diberikan tanggung jawab untuk sistem skala komunal yang sebelumnya didukung oleh UPTD PAL. Sejak saat itu unit baru ini telah melakukan studi kelayakan terhadap status teknis dari 47 sistem dan pada tahun 2015 dan 2016 mendukung beberapa komunitas (5-6 per tahun) melakukan rehabilitasi sistem, peningkatan kesadaran dan perluasan jejaring pipa. Pada tahun 2015 anggaran untuk dukungan ini adalah sebesar Rp 500 juta, pada tahun 2016 Rp 1,5 milyar dan pada tahun 2017 kemungkinan besar akan menjadi sebesar sekitar Rp 1 milyar. Pada tahun 2013 dan 2014 UPTD juga mengalokasikan dana untuk mendukung KSM.

Selain unit baru tersebut, Kota Bogor telah menyiapkan landasan kelembagaan yang kuat, yang dapat mendukung model pengelolaan bersama yang baru. Pokja Sanitasi dengan kapasitas tinggi dan aktif sudah ada. Sejak tahun 2007 FKS telah memainkan peran penting dalam mendukung sistem skala komunal, dan sejak tahun 2013 AKSANSI telah mendukung KSM dalam operasional dan pemeliharaan berjalan.

Di samping dasar kelembagaan yang kuat dan inisiatif pendanaan untuk mendukung KSM, Kota Bogor juga mengembangkan Perda pengelolaan air limbah yang saat ini sedang dipelajari oleh DPR. Walau Perda menjelaskan peran-peran dalam kaitannya dengan sanitasi terpusat dan membuka peluang bagi PDAM untuk terlibat dalam penyedotan tinja berkala, namun rancangan yang ada saat ini masih belum cukup menjelaskan peran penting pemerintah daerah yang sudah dan dapat dilakukan dalam kaitannya dengan pengelolaan bersama sistem skala komunal. Idealnya, apabila Perda dapat direvisi sebelum disahkan, akan baik apabila ada rekomendasi perubahan yang akan memperjelas kewajiban bersama pemerintah daerah dan KSM/KPP. Jika tidak, klarifikasi lebih lanjut akan perlu dilakukan melalui Perwali.

Tanggung jawab minimum pemerintah daerah

Berdasarkan penelitian Bank Dunia dan UTS-ISF, serangkaian tanggung jawab minimum pemerintah daerah telah dikembangkan untuk mendukung pembentukan model pengelolaan bersama.

| Masyarakat mengoperasikan | Dukungan pemerintah daerah |
|--|--|
| <p><i>Dalam kapasitas KSM/KPP:</i></p> <ol style="list-style-type: none"> 1. Membersihkan, mengangkat sampah & melancarkan pipa tersumbat 2. Perbaikan kecil 3. Memungut iuran pengguna dan mendanai biaya-biaya reguler 4. Meminta dukungan | <p><i>Usulan tanggung jawab minimum:</i></p> <ol style="list-style-type: none"> 1. Memantau dan mengelola data 2. Dukungan Teknis dan Sosial bagi KSM/KPP 3. Formalisasi proses penetapan dan pemungutan iuran 4. Mendanai biaya-biaya besar |

Kota Bogor telah menunjukkan kemajuan signifikan berkaitan dengan tanggung jawab minimum tersebut dan telah berkomitmen pada perbaikan lebih lanjut lagi. Halaman berikut merangkum kemajuan yang sudah direalisasikan dan kemungkinan cara ke depan untuk setiap tanggung jawab minimum untuk memastikan penyediaan layanan berkelanjutan jangka panjang di bawah pengelolaan bersama.

1. Memantau dan mengelola data

Sejumlah data pemantauan sudah tersedia di Kota Bogor; Wasbangkim telah melakukan studi kelayakan atas 47 sistem, BPLH telah melakukan pemantauan kualitas sungai dan pemantauan limbah dari 40 sistem dan AKSANSI melakukan pemantauan 41 sistem. Meskipun data telah dikumpulkan, namun belum disusun atau dibagikan dengan semua SKPD terkait.

Ke depan

- Konsolidasi data pemantauan Wasbangkim, BPLH dan AKSANSI dalam basis data terpusat dan membaginya dengan para pemangku kepentingan terkait untuk memastikan perencanaan dan tindakan korektif yang tepat.
- Pemantauan terus-menerus diperlukan termasuk atas aspek teknis dan kelembagaan, dan perlu ada komitmen dan alokasi tanggung jawab formal untuk melakukan hal ini setiap tahunnya.
- Mengembangkan proses transparan untuk memilih sistem mana yang akan didanai untuk rehabilitasi dan perluasan yang terkait dengan risiko dan tujuan sanitasi.

2. Memberikan dukungan teknis dan sosial

Kota Bogor telah menunjukkan kepemimpinan dalam memberikan insentif kepada KSM/KPP yang berfungsi lebih baik melalui penghargaan SANIMAS mereka yang mengakui KSM yang berkinerja baik. Wasbangkim pun telah menjalankan lokakarya pemberdayaan pada tahun 2016. Terdapat kesepakatan bahwa kelurahan harus mengambil tanggung jawab untuk memantau dan mendukung KSM/KPP serta ada pula pembahasan mengenai apakah pemerintah dapat mendukung KPP menjadi badan hukum. Namun penyedotan tinja tetap merupakan tantangan yang mendesak. Sejauh ini baru satu sistem yang telah mengalami penyedotan, dan akses ke sistem yang ada sulit. UPTD telah setuju untuk mendukung penyedotan tinja. Namun diperlukan solusi inovatif untuk mengakses daerah curam dan sempit.

Ke depan

- Memperjelas peran Wasbangkim, AKSANSI, FKS dan kelurahan dalam mendukung KSM/KPP. Rancangan Perda mengalokasikan tanggung jawab hanya kepada masyarakat. Karena itu, peraturan tambahan tentang tanggung jawab pemerintah daerah mungkin diperlukan.
- Penghargaan sanitasi atau insentif lainnya dapat dipertimbangkan untuk mendorong dukungan kelurahan.
- Memberi dukungan kepada KSM/KPP untuk menjadi badan hukum jika pemerintah tidak berencana untuk memiliki aset.
- Memastikan bahwa penyedotan tinja diperhitungkan ketika membangun sistem baru (khususnya akses untuk melakukan penyedotan) serta mendukung masyarakat untuk dapat melakukan penyedotan tinja.

3. Formalisasi penetapan dan pemungutan iuran

Telah disepakati bahwa iuran pengguna harus dibayar, namun harus terjangkau mengingat rumah tangga yang dilayani berpenghasilan rendah. Saat ini 44% masyarakat belum menetapkan iuran dan banyak yang melaporkan bahwa memungut iuran adalah hal yang sulit. Disepakati bahwa RW dan kelurahan harus mendukung formalisasi iuran melalui peraturan setempat dan meningkatkan kewenangan KSM/KPP dalam pemungutan iuran.

Ke depan

- Menyampaikan kepada kelurahan dan RW tentang perlunya mendukung masyarakat dalam menetapkan iuran pengguna dan meningkatkan kewenangan pemungutan melalui peraturan setempat dan promosi.
- Pemerintah daerah mendukung KSM/KPP untuk meningkatkan kemampuan manajemen keuangan mereka dan memberi insentif pada pemungutan iuran.
- Menimbang untuk mengizinkan struktur iuran alternatif (tarif atau retribusi) atau mekanisme pengumpulan biaya, khususnya jika akan menerapkan tarif sanitasi untuk seluruh kota (yakni untuk penyedotan).

4. Mendanai biaya besar

UPTD dan Wasbangkim telah memberikan dukungan bagi sebagian masyarakat untuk perbaikan besar sejak tahun 2013. Perbaikan sejauh ini mencakup penggantian atap, perbaikan pipa, pembangunan sumur air baru dan penambahan sambungan rumah tangga. Namun ada kebutuhan dan kesempatan untuk meningkatkan dukungan dan untuk memastikan bahwa persoalan yang diidentifikasi dalam pemantauan ditangani dan sistem dioptimalkan.

Ke depan

- Mengembangkan proses yang transparan untuk memprioritaskan investasi, baik dalam memilih lokasi maupun mengidentifikasi apa yang harus dilakukan di setiap lokasi.
- Mengembangkan proses yang jelas dan transparan untuk mengajukan dana dan memberitahukan seluruh masyarakat mengenai proses tersebut.

INDONESIA INFRASTRUCTURE INITIATIVE

Ratu Plaza Office Tower
20th Floor
Jl. Jenderal Sudirman No. 9
Jakarta 10270
Indonesia

Tel: +62-21 7278 0538
Fax: +62-21 7278 0539

www.indii.co.id