



# TOOL: Negotiation

## Introduction

Whether one likes it or not, everyday everyone is involved in a range of negotiations. It could be deciding on a place for dinner, what the child can do at the weekend or in business buying and selling. Negotiation is about achieving what you want from others. It's about back and forth communication designed to achieve an agreement between differing parties.

Although every negotiation will be different, the basic structure and methodology remains the same.

This session explores the process of negotiation, helping the learner to reflect on where their negotiation skills have let them down in the past, and help them to adopt new positive negotiation behaviours that will help them in the months and years to come.

Through a series of individual and group activities, the learner will build their understanding of the negotiation process, be able to identify another party's approaches and build their confidence in negotiation (lose their inhibitions!).

The skills acquired in this session can be used to support the learner in their daily life and also to support any business ideas/business start-ups, by building their social capital.



## Negotiation

### Trainer's delivery plan

Session Aim(s):	Learning materials:
<ul style="list-style-type: none"><li>• Introduction to Negotiation<ul style="list-style-type: none"><li>○ Why is negotiation important? Positive connections through positive negotiation skills.</li></ul></li><li>• Approaches for negotiation<ul style="list-style-type: none"><li>○ Understanding conflict</li><li>○ Practical approaches to negotiation</li><li>○ Positive negotiation behaviours</li><li>○ Negative negotiation behaviours</li><li>○ Dealing with difficult situations</li></ul></li><li>• Practice, reflect and learn<ul style="list-style-type: none"><li>○ Overcoming inhibition in negotiating</li><li>○ Reflection approaches</li></ul></li></ul>	<ul style="list-style-type: none"><li>- Register</li><li>- Flip chart or white board and dry marker pens</li><li>- Learner pens or pencils</li><li>- Learn bank paper for notes</li><li>- Handout "Positional Bargaining Soft vs. Hard"</li><li>- Handout: 4 Basic principles for negotiation</li><li>- Handout: Negotiation behaviours</li><li>- Handout: Safeplay scenario</li><li>- Learner workbook</li><li>- Evaluation forms</li></ul>



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Expected learning outcomes:	Differentiated learning outcomes	Differentiation achieved through:
<ul style="list-style-type: none"><li>• Understand how positive negotiation can create positive connections</li><li>• Understand conflict: positional bargaining</li><li>• Develop 4 practical approaches to negotiation</li><li>• Recognise positive behaviours used by negotiators</li><li>• Recognise negative behaviours in negotiation</li><li>• Understand how to deal with difficult negotiation situations</li><li>• Overcome inhibition in negotiating</li><li>• Recognise the impact of emotions and feelings in negotiation</li></ul>	<ul style="list-style-type: none"><li>• Curiosity</li><li>• Awareness of connections in the modern world</li><li>• Awareness on the tools of subliminal communication</li><li>• Awareness of how through connection awareness new connections, sales can be achieved</li><li>• Use of connections to increase social capital</li><li>• Personal empowerment</li><li>• Team working</li></ul>	<ul style="list-style-type: none"><li>• Critical thinking</li><li>• Interactive discussion</li><li>• Team work</li><li>• Personal reflection</li></ul>



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Timings	Key Content	Trainer Activity	Learner Activity	Resources
5 minutes	Introductions	Trainer introduction  Session outline	Learners sign register  Learner introduction to the group	Register
5 minutes	The importance in the modern world of negotiation	Trainer leads discussion on the importance of negotiation in the modern world	Learners in a group discussion present their thoughts on the importance of negotiation in the modern world	
10 minutes	Understand conflict: positional bargaining	Trainer introduces the group to the concept of positional bargaining, soft vs. hard  Trainer then: I) Divides the group in two teams. Ask them to sit facing each other.  II) Distribute copies of the handout to each group.  III) Tell one team that they will have to support Soft positional bargaining; the other will be for Hard positional bargaining.	Learners participate in an open discussion to explore the characteristics of positional bargaining	Copies of the Handout "Positional Bargaining Soft vs. Hard"  Flip chart/ Whiteboard  Dry marker pens



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		<p>Their task is to convince the other team of the validity of the method they support.</p> <p>Allow sufficient time for preparing.</p> <p>IV) Give a Start to let the “confrontation” start. Let each one to express freely; do not try to control the dynamics of interaction.</p> <p>V) Give a signal to stop the confrontation. Ask participants to return to their original seats and think in silent for one minute to what emerged during the activity.</p> <p>VI) Invite those who want to share their thoughts.</p> <p>Trainer capture key thoughts on whiteboard or flip chart.</p>	<p>Learners provide feedback on their discussion and if an agreement was reached.</p>	
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20 minutes	Exploring approaches to negotiating	<p>Discuss with the group the four basic principles of negotiation in order to overcome the problems, limitations and impasses of positional bargaining.</p> <ol style="list-style-type: none"><li>1. Separate the people from the problem</li><li>2. Focus on interests, not positions</li><li>3. Invent options for mutual gain</li><li>4. Insist on objective criteria</li></ol> <p>Trainer gets learners to reflect on the 4 principles and gets them to consider examples where they have in live used or not used these principles, using the handout sheet provided to capture their thoughts.</p>	<p>Learners discuss the 4 basic principles and consider examples where they have in live used or not used these principles.</p> <p>Learners record their thoughts and examples on the handout sheet: 4 Basic principles for negotiation.</p>	<p>Copies of handout sheet: 4 Basic principles for negotiation.</p> <p>Pens</p>
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10 minutes	Explore behaviours used by skilled negotiators	Trainer introduces the group to 5 key positive behaviours used by skilled negotiators: <ul style="list-style-type: none"><li>• Flagging</li><li>• Testing, understanding and summarising</li><li>• Asking lots of questions</li><li>• Commenting on motives</li></ul>		
10 minutes	Explore behaviours that are considered negative in negotiation.	Trainer introduces the group to 4 key negative behaviours used in negotiation: <ul style="list-style-type: none"><li>• Irritators</li><li>• Defend/attack spirals</li><li>• Argument chains</li><li>• Counter proposals</li></ul>		



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10 mins	Explore negotiating behaviours	Trainer provides learners with negotiation behaviours handout and asks group to place the behaviours discussed (and captured on the handout) into the correct column: positive negotiation behaviour or negative negotiation behaviour.	Learners complete the negotiation behaviours exercise.	Negotiation behaviours handout  Pens
30 minutes	Practicing negotiation	<p>Trainer explains that the group is to practice a negotiation scenario.</p> <p>The learners are told that they met in prison and have been developing a new business idea.</p> <p>The trainer should then read through the scenario ensure that all learners understand the role play.</p> <p>Each learner is given blank sheets of paper and told that in the negotiation they take it in turns to negotiate (while the other person listens). On</p>	<p>Learners take on the role of either Jan or Pat in the scenario.</p> <p>Learners read the senario and play the role that person</p> <p>Learners try and negotiate to achieve their desired outcome</p> <p>Each learner keeps notes on how they see the negotiation developing, the negotiation behaviour of their partner and negotiation strategies and behaviours they themselves use. The learners should capture their emotions and</p>	Safeplay scenario handout  Pens





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		<p>the sheet they should record their strategy at each stage (what approaches/behaviours are they using, also to try and figure out the approaches/behaviours used by their partner. Finally, to capture their emotions and feelings during the negotiation phases.</p> <p>The learners are divided into pairs: learner A and learner B</p> <p>Learner A is given the role of Jan</p> <p>Learner B is given the role of Pat</p> <p>The learners will need about 5 mins to assimilate their role the negotiation will then take around 20 minutes</p>	<p>feelings during the negotiation phases.</p> <p>Jan and Pat take it in turns to negotiate (while the other person listens</p>	
15 minutes	Reflection on negotiation behaviour, activity and outcome	Trainer leads discussion asking each learner pair how the negotiation worked, did they achieve an outcome, what	Learners feedback to the group on how the negotiation worked, did they achieve an outcome, what	



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		<p>approaches/behaviours did they use, what were their emotions/feelings during each phase of the negotiation and did this effect their negotiation strategy.</p> <p>The trainer asks each learners what one thing they will take away from role play, that they can use in the future. What have they learnt that will influence their behaviour in the future?</p>	<p>approaches/behaviours did they use, what were their emotions/feelings during each phase of the negotiation and did this effect their negotiation strategy.</p> <p>Learners reflect on their learning and how it will influence their behaviour in the future when they are negotiating.</p>	
10 minutes	Dealing with difficult situations	<p>The trainer leads a group discussion on how best to deal with difficult situations in negotiations, including:</p> <ul style="list-style-type: none"> <li>• What if the other party is more powerful?</li> <li>• What if the other party will not play?</li> <li>• What if the other party uses dirty tricks?</li> </ul>	<p>Learners consider a range of difficult situations and discuss how best to approach the.</p>	



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5 minutes	Session evaluation	Trainer hands out and collects evaluation forms for the session	Learner completes session evaluation form	Evaluation forms
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### Trainers notes:

Delivery time for this session is 2hrs.

If this is used as the last session in the training programme, then an additional 15 minutes should be added to allow learners to complete the Wheel of Life and course evaluation forms.

This session is designed to help learners develop an understanding of negotiation skills and behaviours, to support the development within the connected economy, where negotiation of outcomes or relationships is very important.



### Understanding conflict: positional bargaining and types of outcome

Often negotiation take the form of haggling between different positions, for example haggling over a higher or lower product price. This is called positional bargaining, a contest between differing positions.

‘A positional negotiation can be hard or soft. If it is hard, then the negotiation is seen as a contest of wills, full of adversarial threats, mistrust, bluffs and ‘non-negotiable bottom lines’; all parties try to win. If it is soft, the parties may be more concerned to seek agreement, rather than victory, be more exploratory and friendly and prepared to give and take’.

The soft approach sounds quite nice – until you consider some of its implications. What if other parties are only pretending to be friendly as a way of encouraging you to relax your guard? Also, would the outcome of a thoroughly soft positional negotiation actually be the best or the wisest result for all concerned? Is the maintenance of amicable relations the main issue? Perhaps the agreement which emerges from a relaxed negotiation may not adequately resolve the longer-term issues.

Positional bargaining is based on the concept of ‘Win or Lose’ where opposing sides reach a grudging compromise that satisfies neither of them and leaves underlying issues unresolved. To avoid the resulting challenges, we need different ways of approaching negotiations.



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### Approaches to negotiating

**1 Separate the people from the problem:** Don't make it personal!

**2 Focus on interests, not positions:** Don't become entrenched in positions, take time to focus on the interests... what important!

**3 Invent options for mutual gain:** Look for areas of mutual gain, start by thinking what would be a win for the other side, then for you.

**4 Insist on objective criteria:** Set a framework for the negotiations.



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### Positive behaviours used by skilled negotiators

**1 Flagging:** Tell people what you're going to do next, for example, 'I would like to suggest that ...', 'Could I ask you ...?', this helps facilitate a good communication process.

**2 Testing, understanding and summarizing:** As the negotiation progresses, make sure that everyone interprets things in the same way

**3 Asking lots of questions:** By asking questions you open up new possibilities.

**4 Commenting on motives:** Always say why you are suggestion or doing something, it helps to avoid mistrust.

**5 Assessing your own performance:** Reflect on one's own performance, it is the first step in changing bad habits.



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### Negative behaviours to avoid

**1 Irritators:** Words or phrases that just wind people up! A good example is 'We are being very fair and reasonable', this will invariably wind people up!

**2 Defend/attack spirals:** Don't get drawn into spiral of insinuation, that can quickly become insulting or abusive.

**3 Argument chains:** you may have a long list of reasons, information to back up your argument, but most skilled negotiators just concentrate on one strong argument, keeping others in reserve for use if need be.

**4 Counter-proposals:** Don't fall into the trap of countering every idea with one of your own.



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### How to deal with difficult situations

Negotiators have three key areas of concern:

- What if the other party is more powerful?
- What if the other party will not play?
- What if the other party uses dirty tricks?

A good starting point is to negotiate in good faith. Don't work on 'bottom or red lines', which are positions not to be crossed, instead keep an open mind and consider your 'BATNA', which stands for 'the best alternative to a negotiated agreement'.

If the other party is working a 'Take it or leave it' strategy, then take time to look at what motivates this position and then reflect on what your next steps should be, based on your new understanding.

If the other party are using dirty tricks, do not rise to 'the bait', stay calm and ethical and if needs must resort to your BATNA or walk out explaining the basis on which you would be willing to again start discussions /negotiations.





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### Training Resources





## Handout: Positional Bargaining: Soft vs. Hard

### Task:

*One team has to support Soft positional bargaining; the other will be for Hard positional bargaining. Your task is to convince the other team of the validity of the method you support.*

#### Soft Positional Bargaining

Participants are friends  
The goal is agreement  
Make concessions to cultivate the relationship  
Be soft on the people and the problem  
Trust others  
Change your position easily  
Make offers  
Disclose your bottom line  
Accept one-sided losses to reach agreement  
Search for the single answer: the one they will accept  
Insist on agreement  
Try to avoid a contest of will

#### Hard Positional Bargaining

Participants are adversaries  
The goal is victory  
Demand concessions as a condition of the relationship  
Be hard on the people and the problem  
Distrust others  
Dig into your position  
Make threats  
Mislead as to your bottom line  
Demand one-sided gains as the price for agreement  
Search for the single answer: the one you will accept  
Insist on your position  
Try to win a contest of will



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Yield to pressure

Apply pressure

### Handout: 4 basic principles for negotiating

**Task:**

*For each of the 4 basic principles, consider examples of where you have used the principle or could have used it.*

<b>1. Separate the people from the problem</b>	<b>2. Focus on interests, not positions</b>
<b>3. Invent options for mutual gain</b>	<b>4. Insist on objective criteria</b>



## Handout: Selecting good negotiation behaviours

**Task:** *Take the following negotiation behaviours and place them in either the positive behaviours column or negative behaviours column.*

Commenting on motives

Counter proposals

Flagging

Asking lots of questions

Irritators

Testing, understanding and summarizing

Argument chains

Defend/attack spirals

Assessing your own performance

<u>Positive negotiation behaviours</u>	<u>Negative negotiation behaviours</u>



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### Negotiation scenario - Safeplay

Two ex-offenders Jan and Pat have created a new business, devised in prison, which they each own 50% of the shares. The company, Safeplay, is a concept they have been working for several years in prison, which focuses on a share interest in raising awareness of safe play for children and protecting them from sexual abuse. It builds on stories they have heard whilst in prison.

In prison Jan and Pat devised an idea for a Safeplay app, which has inbuilt safeguarding technology. It's an app based game which is fun for children to play, but has embedded safeguarding messages helping them to become more aware of potential dangers.

Jan and Pat's app has been tested and the feedback is extremely positive, with media outlets interested in picking up on their story.

However, their challenge is to take the app, from a test BETA version into both a national and international market place. This will need refining of the app and professional marketing.

Based on a simple business plan Jan and Pat recon that to take the business forward they need £50K. Having spent time in prison, both have several contacts who have offered investment in their company, for a share of the business.

Pat wants to break free with the past and feels that the business could be run as a social enterprise. This would open the opportunity for some small funding from charitable trusts, he is even happy to put his own money into the business and ask if his family will also support him with a loan.

Jan however, feel that he should not use his own money, believing that 'other people's money' OPM is a more sensible approach. Jan has an ex drug dealing friend with money to spare who is happy to invest the full £50K, but wants ultimate control of the company with 51% of the shares. He is not interested in the social values of the company, just the easy profit he can see.

Jan and Pat are meeting today to decide what to do. They have to make a decision by the end of the working day, otherwise Jan's friend says he is not interested.

In this scenario, you will take on the role of either Jan or Pat and you need to negotiate a way forward.