

## Negotiating Skills, Tips & Principles

**“You can get what you want if you recognize that each person is unique and needs can be reconciled ... most needs can be fulfilled by the way you act and behave. Mutual satisfaction should be your goal and the means of achievement – collaborative Win-Win negotiations.”**

– Herb Cohen 'You Can Negotiate Anything'

Negotiation is a fact of life and we all negotiate something daily. For example:

- an employment contract
- an increase in income or employment benefits
- the price you agree to sell your house for

However, it's not easy for all of us to do it well!

Negotiation strategies that involve using manipulative, coercive and deceptive techniques or do not meet the needs of all parties at least to some degree result in:

- ✗ little regard for the consequences;
- ✗ damaged relationships;
- ✗ short-term solutions with minimal or no satisfaction for at least one, if not all, of the parties involved; and
- ✗ a high likelihood of problems arising again in the future.

So what alternative is there?

### Principled Negotiation

Simply put, the objective of principled negotiation is a **'win-win' collaborative outcome** where *all parties' needs are fully or partly met.*

There are many benefits to applying this model to everyday negotiations. Whether experienced or not, **anyone can use this model.** Principled negotiation focuses on looking for **mutual gains** wherever possible.

#### There are four basic rules governing Principled Negotiation:

1. Separate the people from the problem.
2. Focus on interests, not positions.
3. Generate options for mutual gain before making a final decision through brainstorming.
4. Ensure the result is based on objective criteria.



## Negotiating Skills Tips & Principles (Cont'd)

### At the Negotiating Table

"Negotiations occur when there is a genuine desire to solve a problem and an unpalatable alternative."

– Albert Einstein



### Some Negotiation Principles

- **Maintain a flexible attitude** – to the structure and process for negotiating. Be open-minded to discussing the issues in different ways (e.g. one at a time – easiest to hardest or grouping related but sometimes more complex issues together) to find a mutually satisfying solution.
- **Be sensitive to the other party** – when they are talking, 'tune in' to their communication style – they may be sharing important information through non-verbal cues or indirectly through gestures.
- **Maintain momentum** – whilst it is necessary to take breaks from time to time during negotiations, avoid doing this during key discussions or before agreement is reached on an issue. It can be very difficult and time-consuming to re-establish negotiations if conversations are suspended at the wrong moment. If it *is* time for a break, maintain informal contact by keeping the parties together for refreshments.



### Negotiators who practice principled negotiation:

- ✓ View parties as partners, not adversaries or opponents;
- ✓ Treat the other parties as equals seeking a mutually advantageous solution or agreement;
- ✓ Think in terms of achieving an equally beneficial joint outcome;
- ✓ Look for solutions by shared problem solving;
- ✓ Show genuine interest in understanding the other party's needs;
- ✓ Reciprocate in trade-offs and concession-making;
- ✓ Concentrate on long-term benefits for both parties;
- ✓ Are willing to trust, respect, be open and share information;
- ✓ Clarify their understanding by asking questions;
- ✓ Seek common ground and build on it;
- ✓ Focus on solving the problem, not on personal differences;
- ✓ Make decisions based on objective criteria and standards;
- ✓ Invent creative options that satisfy all interests and needs before making a decision;
- ✓ Understand the concept of expanding opportunities - 'baking a bigger pie from a smaller one';
- ✓ Strive to improve or strengthen future relationships;
- ✓ Aim to satisfy fully or partially all of the parties' needs.



## Negotiating Skills Tips & Principles (Cont'd)

### The Art of Asking Questions

**“Keep in mind that the better you understand what you want and why you want it, the better your chances will be of acquiring it.”**

- Fred Jandt

“Good negotiators are people who generate understanding and interest in the person with whom they’re talking.” A powerful negotiating tool is the skilful use of questions including:

#### The Close-Ended Question.

- Requires a very short or conclusive answer.
- Often a simple ‘yes’ or ‘no.’ e.g. ‘Is that what you think about it?’
- Used to close off a point.



#### The Open Ended Question.

- Gives the greatest sense of clarity and understanding;
- Gathers more information;
- Encourages others to talk more;
- Builds rapport and co-operation;
- Shows that you are interested and want to hear what they have got to say;
- Usually starts with WHAT, HOW, WHEN, WHERE, WHO and WHY?

#### Asking questions allows you to:

- Gather information
- Promote & clarify meaning
- Generate understanding
- Build rapport
- Stimulate thinking
- Stimulate agreement
- Resolve disputes
- Change perceptions
- Challenge beliefs and assumptions



Source: The Negotiator’s Toolkit by Allan Parker (p52-58).

For a copy of this practical guide phone: (02) 9328-9777 or visit: [http://www.peakpd.com/pub\\_list.html](http://www.peakpd.com/pub_list.html).

**“During a negotiation, it would be wise not to take anything personally. If you leave personalities out of it, you will be able to see opportunities more objectively.”**

- Brian Koslow

## Negotiating Skills Tips & Principles (Cont'd)

### Ten Key Negotiating Skills

Skilled Negotiators need to have the ability to:

- ✓ Think how mutual gain can be achieved for both parties;
- ✓ Look for common ground to build bridges;
- ✓ Seek first to understand the other party's interests, then to communicate their own;
- ✓ Define a range of clear objectives but still be flexible about some of them;
- ✓ Explore the possibilities of a variety of options;
- ✓ Prepare well;
- ✓ Listen to, and question the other party effectively;
- ✓ Set priorities;
- ✓ Communicate respectfully;
- ✓ Improve or strengthen future relationships.



### 13 Tips for Getting the Most out of Your Negotiations

- Prepare! Prepare! Prepare! (Success in Negotiations = 80% Preparation + 20% interaction);
- Identify the other party's strengths and weaknesses;
- Start with easy-to-resolve issues;
- [Use inclusive language](#) – Make 'I' Statements *not* confrontational 'You' Statements;
- Keep emotions under control;
- Ask open-ended questions that encourage further discussion;
- Learn to read the non-verbal communication signs;
- Look for common ground, interests and needs on which to build agreement;
- Listen more than you talk;
- Be flexible in your approach;
- Make it easy to say 'yes';
- Look for opportunities to say 'yes' without making a concession;
- Focus on the outcome.

**“Prepare by knowing your walk away [conditions] and by building the number of variables you can work with during the negotiation ... you need to have a walk away ... a combination of price, terms, and deliverables that represents the least you will accept. Without one, you have no negotiating road map.”**

- Keiser

## Negotiating Skills Tips & Principles (Cont'd)

**“Negotiation is a process through which two or more parties move from their initially divergent positions to a point where agreement is reached.”**

- Ann Jackman, 'How to Negotiate' (2004)

### Further Recommended Reading:

*“Getting To Yes: Negotiating an agreement without giving in”* by Roger Fisher & William Ury (Random House)

*“Getting Past No: Negotiating with difficult people”* by William Ury (Random House)

*“How to Negotiate: The fast route to getting the results you want”* by Ann Jackman (Octopus Publishing Group)

*“Everyday Negotiation: Navigating the hidden agendas in bargaining”* by Deborah M Kolb & Judith Williams (Jossey-Bass)

*“The Negotiation Fieldbook: Simple strategies to help you negotiate everything”* by Grande Lum (McGraw-Hill)

*“Negotiation Theory & Techniques”* by Nadja Spiegel, Bernadette Rogers & Ross Buckley (Butterworths)

*“The Negotiator’s Toolkit”* by Allan Parker

*“You Can Negotiate Anything”* by Herb Cohen

**“A negotiator’s relative strength is determined by the quality and extent of his/her preparation. The better you understand your interests (why you want what you want); and the better you understand the interests of other parties (why they want what they want), the greater chance you will be able to reach an elegant solution which leaves the parties feeling as if each has achieved the major portion of their goals.”** – Steve P Cohen

If you would like to learn more, visit our **Negotiation** pages and sign up for our **free bi-monthly Newsletter “Getting to Agreement”** which is packed with tips, advice, and topics such as communication focus, collaboration, mediation, negotiation strategies, questions and answers from subscribers and clients, recommended reading, case studies and website updates. Full of practical "how to" tools and techniques for communicating more effectively and achieving satisfying outcomes. If you need assistance with negotiating, please contact us on **1300 36 22 33**.