

Checklist for facilitating a negotiation

Have you found yourself in the facilitator's role?

- ❗ Perhaps you need to bring a group of contractors together to work through a relationship or performance issue.
- ❗ Maybe you are in a strategic planning role within a government organisation and need to coordinate a stakeholder negotiation or meeting that will make recommendations back to your department.

This checklist is provided to assist 'in-house' facilitators develop their approach for assisting negotiations amongst other parties.

It is intended as a guide only and is not necessarily implemented in chronological order as you may find yourself moving back and forth between steps until parties are in agreement. For more information and advice please contact us at <http://www.allpossibilities.com.au>

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Remember, when you are facilitating a negotiation you are trying to assist others to reach agreements that work *for them*.

Note: BATNA is short for “Best Alternative to a Negotiated Agreement” (a term coined by Roger Fisher and William Ury in their book “Getting to Yes: Negotiating agreement without giving in 1991.) In practice, a BATNA refers to the best outcome a party could achieve if they chose *not* to negotiate. Put simply, if you can assist the parties form a negotiated agreement that is better than their BATNA then it is worth them accepting.

Facilitators checklist

Convene the parties

- Identify and gain support for the process from key players / stakeholders.
- Gain support regarding **your role** in the process as the facilitator.
- Spend time with the key parties to understand their issues and desired outcomes.
- Understand the BATNA for each party (as well as you are able).
- Prepare a written brief that describes the goals, decision making process, ground rules, and facilitator's role in the process. Use this as a communication tool.
- Gain agreement to the 'written brief' before moving on to discussion of the issues.
- Prepare a document that summarises the issues for use at the first meeting.

Support the conversation

- Use a meeting agenda to focus people's attention and manage time.
- Assist the parties to hear each other's concerns. (Paraphrase for the group if necessary).
- Encourage careful listening to discover interests (Highlight the substantive issues when required).
- Summarise points of agreement or disagreement at key moments in the conversation.
- Consider what you can do to support relationship building as well as content discussion.
- Reframe the discussion to assist the parties to regroup and focus.
- Keep track of the conversation and agreements in real time. Where appropriate, use a visual medium (butchers paper / white board).
- Ensure all parties agree with your interpretation of what has been discussed or decided before recording it.
- Use short breaks or private caucuses to encourage the parties to discuss with you (or others) privately what they can agree to.
- Where appropriate, commit to keeping information confidential.

Help the parties decide

- Use a single text document to assist the group to consider and make decisions.
- Suggest options or propose potential trade-offs, however proceed cautiously. If you become too attached to a particular proposal, one or more of the members may think you have taken sides or lost your objectivity.

Formalise the outcomes

- When agreement is reached, restate the outcomes and what will happen next.
- Consider whether the parties will need to consult with their constituents.
- Include re-opener procedures if needed.
- Celebrate!