



TRAINING CONNECTIVE NEGOTIATION

Day 3 – October 27th, 2022





During summer

- > Coaching on the job for Endelave, Lemvig & Hedensted
- > Drejebog – principles and first table of content



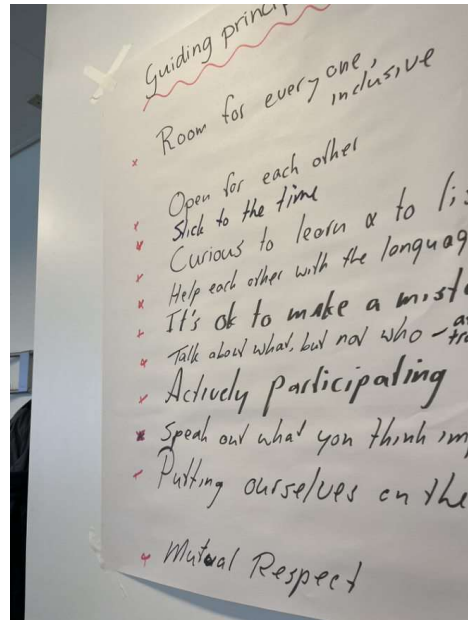
Marja van Schie

- > Connective Negotiation, trainer and developer of our profession
- > Multi stakeholder processes: water, nature, agriculture, recreation, (local) governments, NGO's, companies, inhabitants, local groups
- > Examples: Raising the groundwater level in Graafsche Raam; Joint Fact Finding on designing possibilities for biodiversity on 'concrete' dykes; Social & Economical Board of the Netherlands
- > Embodying diversity: daughter of a dairy farmer, working for the National Forest conservancy for a couple of years.
- > Collaborating with Femke and Karsten for about 20 years.



Our groundrules

- > Today is about learning by doing
- > Any guiding principles to add?



GUIDING PRINCIPLES

- Room for everyone, inclusive
- Open for each other
- Stick to the time
- Curious to learn & to listen
- Help each other with the language
- It's okay to make a mistake
- Talk about what, but not who (after the training)
- Actively participating
- Speak out what you think is important
- Putting ourselves on the line
- Mutual Respect

Tips for Spilleregler

TIPS FOR SPILLEREGLER

- * ONCE A STAKEHOLDER MAKES A SUGGESTION FOR A GUIDING PRINCIPLE, USE IT AS A GOOD START ² INVITE THEM TO ADD MORE.
- * ASK YOUR STAKEHOLDERS WHAT IS REQUIRED TO AGREE ON TO HAVE A GOOD MEETING.
- * GIVE ONE EXAMPLE OF A G.P. THAT IS IMPORTANT FOR YOU AND INVITE THEM TO ADD MORE
- * BE PREPARED TO EXPLAIN HOW SPILLEREGLER WILL BE HELPFUL FOR THE PROCESS
- * SPILLEREGLER CAN CHANGE WHEN ALL STAKEHOLDERS AGREE ON IT.
- * YOU ARE ALLOWED TO ADD SPILLEREGLER YOURSELF
- * GUIDING PRINCIPLES AS A WORD CAN BE A GOOD ALTERNATIVE IN CASE SPILLEREGLER DOESN'T FIT

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Esselte



Program day 3

Morning

- > Start up
- > Lessons learned from your own cases
- > Process management & 5 steps of Connective Negotiation
- > Lunch

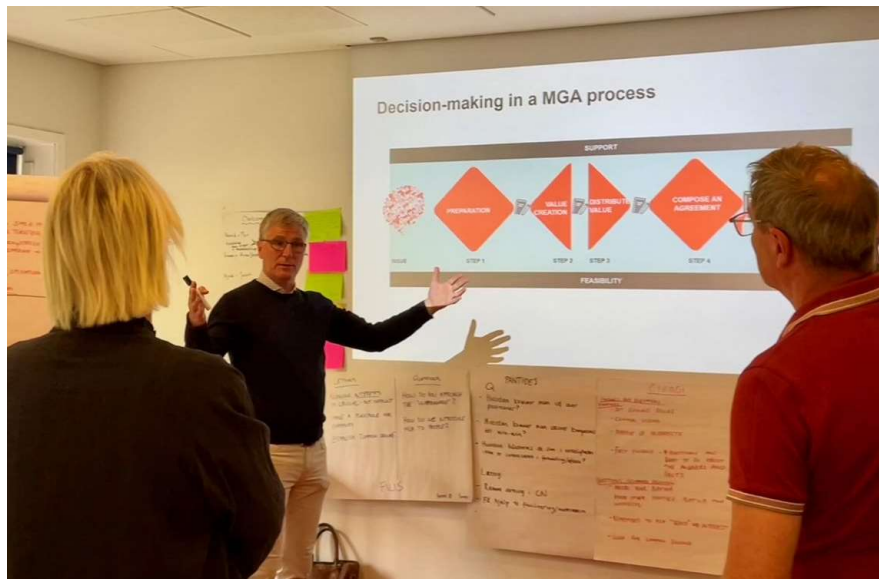
Afternoon

- > Completing the Drejebog with your input
- > Joint Fact Finding
- > Closure at 17.00
- > Drinks & diner



Recap | Content day 1 & 2

- > 5 essences
- > 4 domains & succesful negotiation





Definition

Participants choosing for 'connective negotiation' want to reach an **agreement** that can be **executed** and has **more value for every participant** compared to if that agreement would not have been reached and where the **relationship** between participants is strengthened.

QUESTION NR 1: Which answer IS CORRECT?

A. MGA stands for: Mutual Gains Analysis

B. MGA stands for: Mutual Gains Approach

C. MGA stands for: Mutual Goals Approach

D. MGA stands for: Mutual Generous Analysis



Recap | the 5 Essences of connective negotiation



1. Focus on interests, not positions



2. Create value (enlarge the pie)



3. Know your BATNA (Best Alternative to a Negotiated Agreement)



4. Work on sustainable relationships, building trust



5. Joint fact finding

QUESTION NR 2: In your first personal (1-to-1) meeting with a stakeholder

A. You invite the stakeholder to share his/her interests

B. You present the policy/solution and ask his/her opinion

C. You make sure you get to know the stakeholders' position

D. You share your BATNA with that stakeholder



QUESTION NR 3: You want to know the interests behind the positions, because:

A. I do not want to know the interests, positions are fine for me

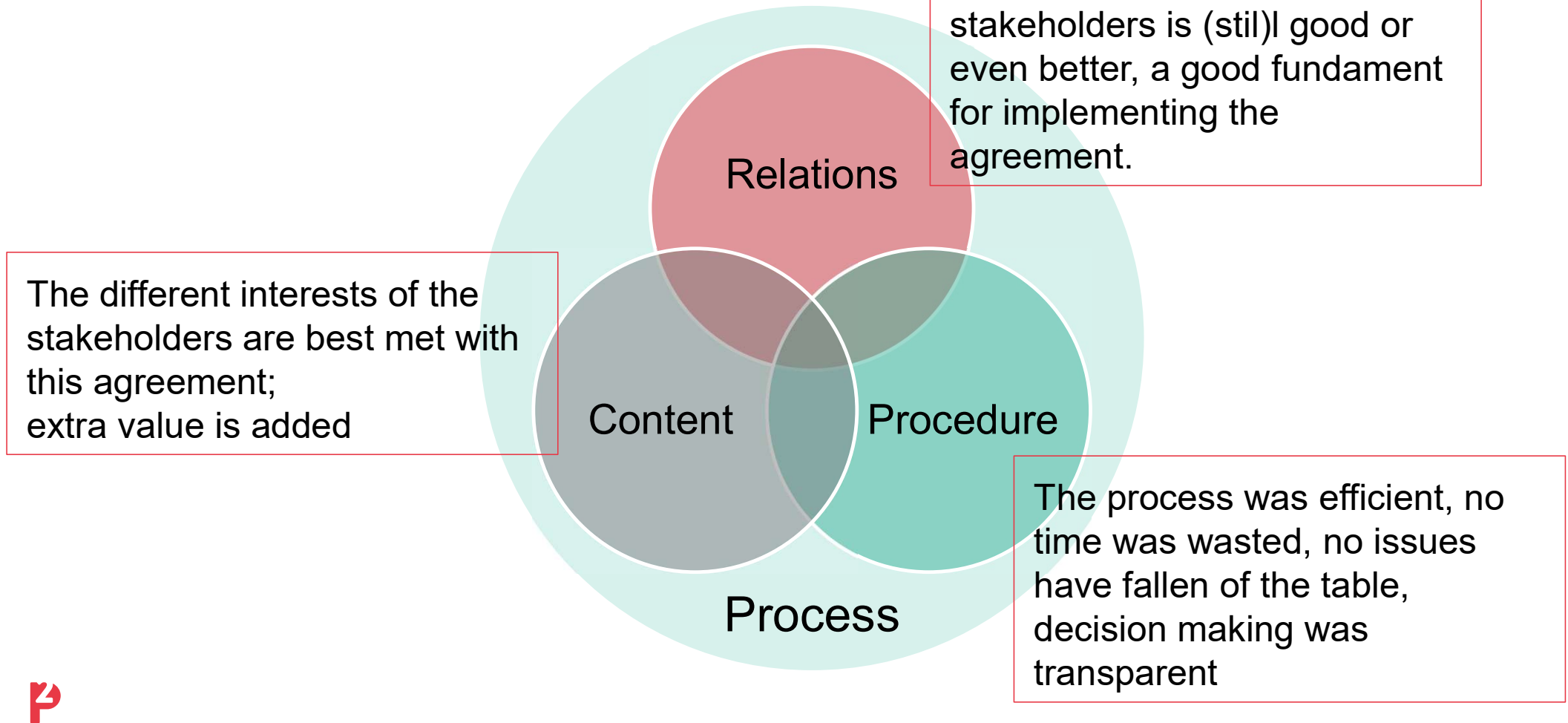
B. I want to know what is really important for the stakeholders

C. Everything they tell me can be in my advantage to come to a good deal for me

D. Thinking in interests creates a bigger space to come to agreement



A negotiation is **successful** if:



Why would you use this approach?

- > Earlier on in the process with stakeholders around the table
- > All stakeholders can contribute to the solution
- > Creating ownership in process and solution
- > Using all creativity available to come to the best solution at hand
- > Knowledge and information has been developed together and can be built upon in the future
- > Transparency in decision making
- > Building sustainable relationships for the future
- >



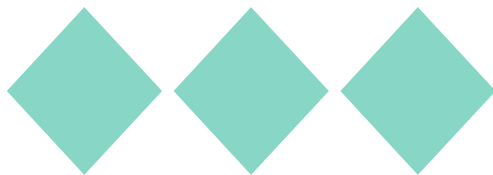
Connective negotiation | The approach in 5 steps



Different approaches

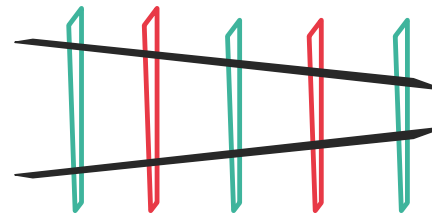
Process management

- > Start: an idea or objective
- > The idea develops
- > Steering on feasibility & support
- > End: a firm idea, defined deliverable?

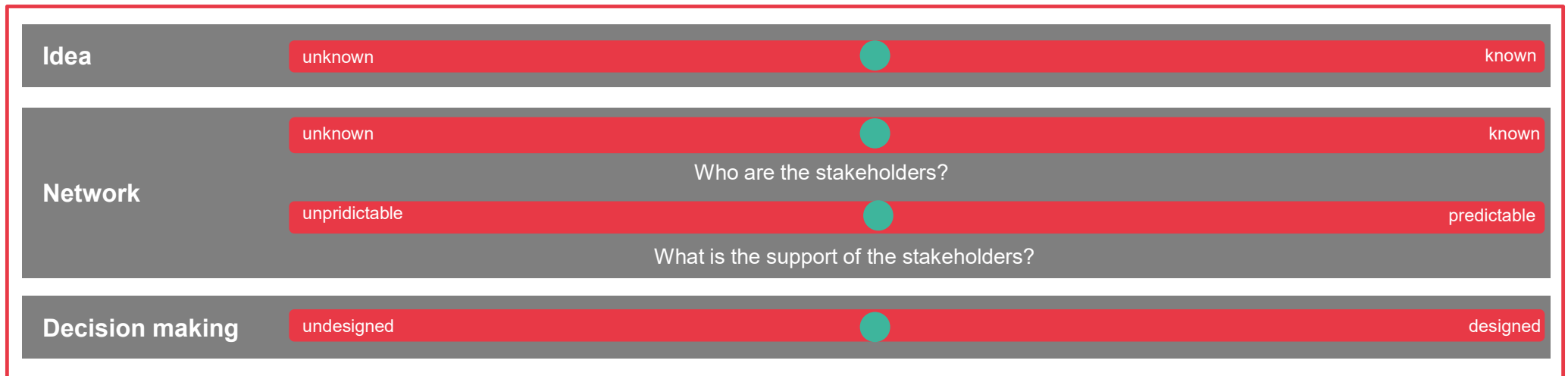


Project management

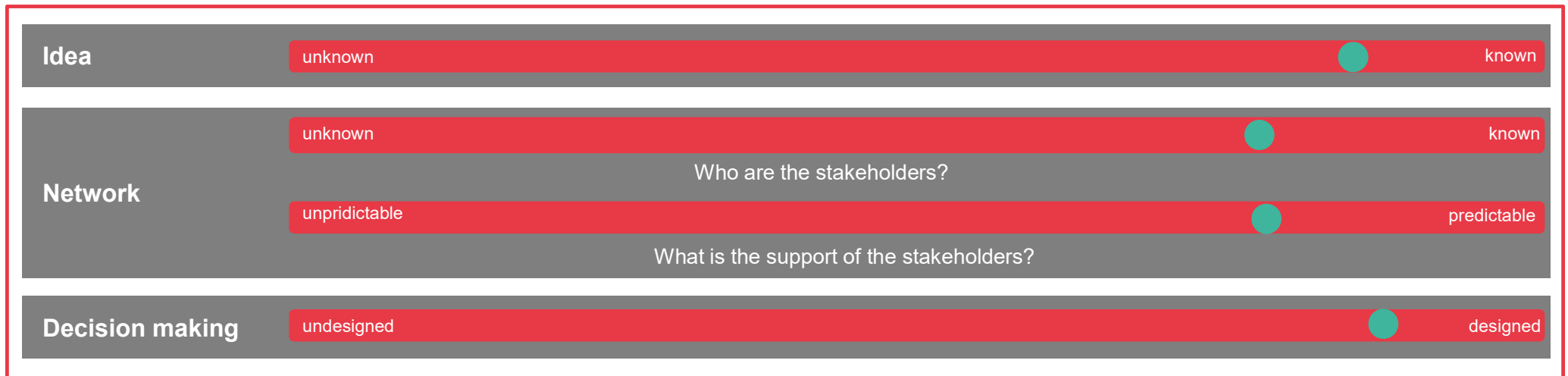
- > Start: a defined deliverable
- > The deliverable is fixed
- > Steering on time, money, quality, information & organisation (and risks)
- > End: achieved deliverable



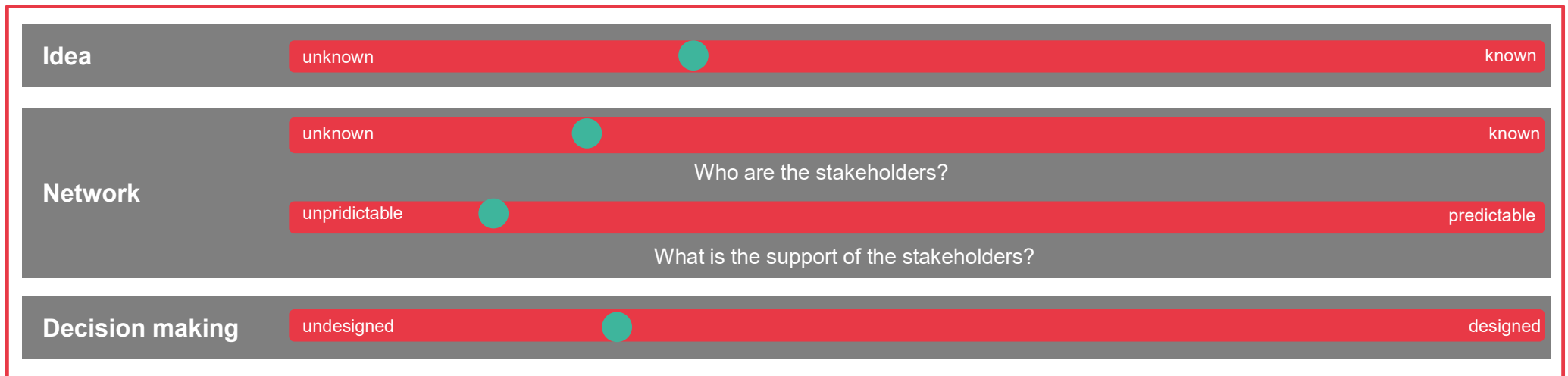
How to select your **approach**



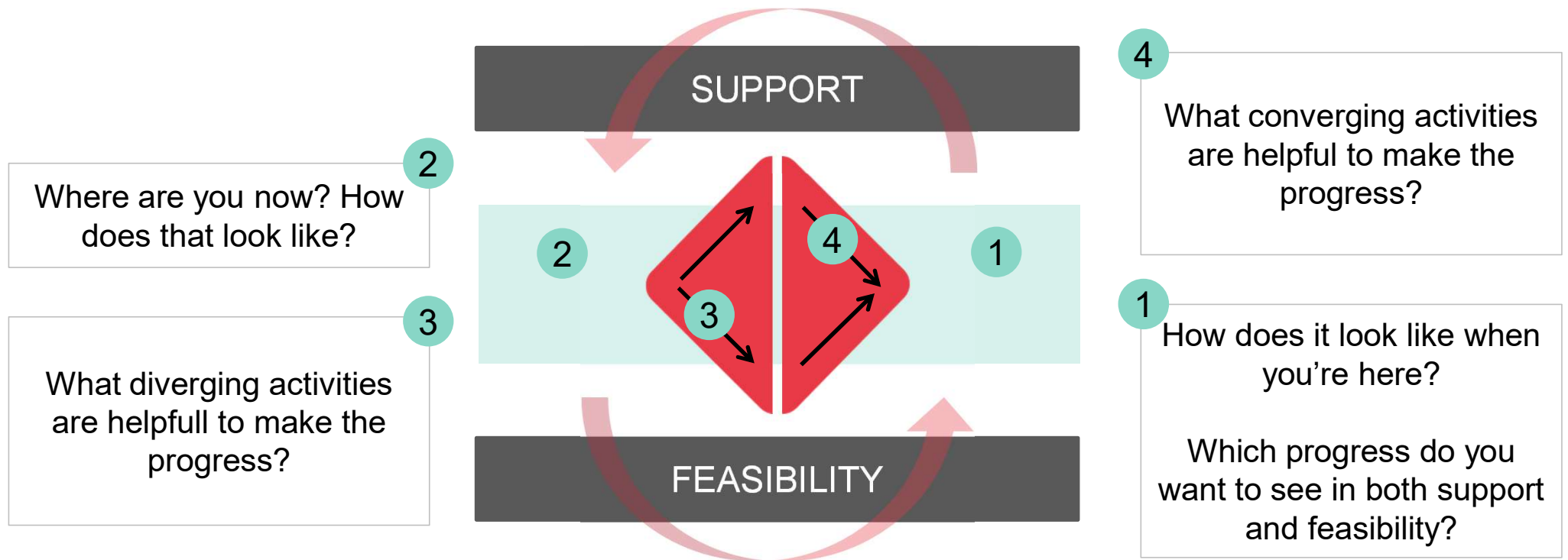
How to select your **approach** → **project**



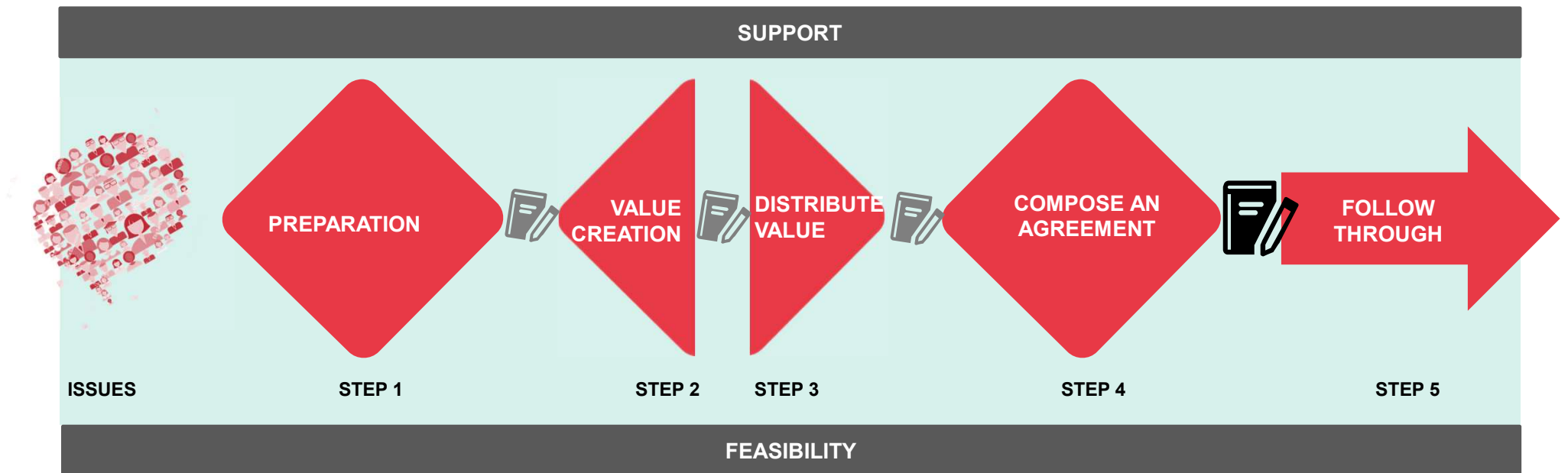
How to select your **approach** → **process**



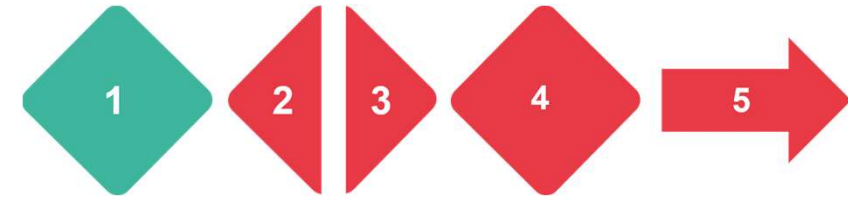
Procesmanagement = organising progress



Connective Negotiation | Approach in 5 steps

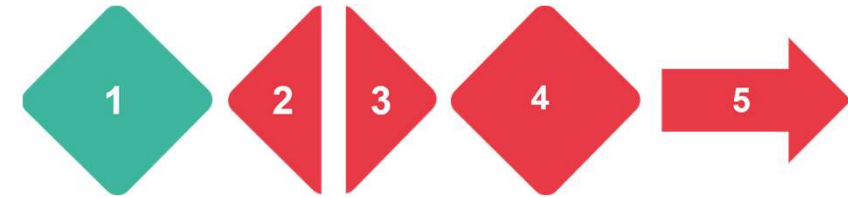


Step 1 | prepare



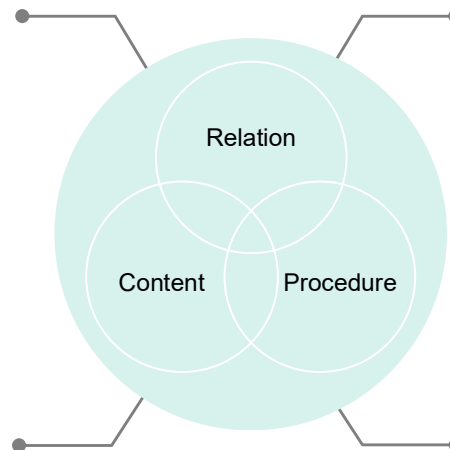
- > Provide a mandate and a team
 - > Set groundrules
 - > Know your own interests and issues, and those of your organization
 - > What is your Best Alternative (BATNA)?
- > Do all stakeholders come to the table?
 - Do you know the other stakeholders?
 - Do you know their interests too?
 - And their BATNA?
 - And their mandates?
 - > In the meantime, come up with proposals for mutual benefits

At the end of the first step...



PROCESS

- > Have the participants committed themselves to connective negotiation?
- > Is the next process step designed together?



RELATIONS

- > Have process agreements been made?
- > Are the relationships in order?

CONTENT

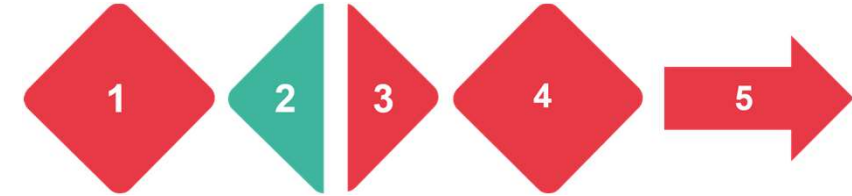
- > Are the issues known?
- > Are the interests shared?
- > Has the assessment been determined?

PROCEDURE

We know:

- > Where we are working towards?
- > How the decision-making works?
- > The mandates

Step 2 | Value creation



- > Think of as many options as possible for the issues
 - Use creative methods
 - How can you "enlarge the pie"?
 - Suspend criticism
 - Think without obligation
- > Continue to investigate the interests of all parties
- > What knowledge / information do you need to come up with options?
- > Work on objective criteria

The meaning of value creation

A different attitude,

- > Creative process
- > Options for mutual gains
- > Connecting issues

results in different actions.

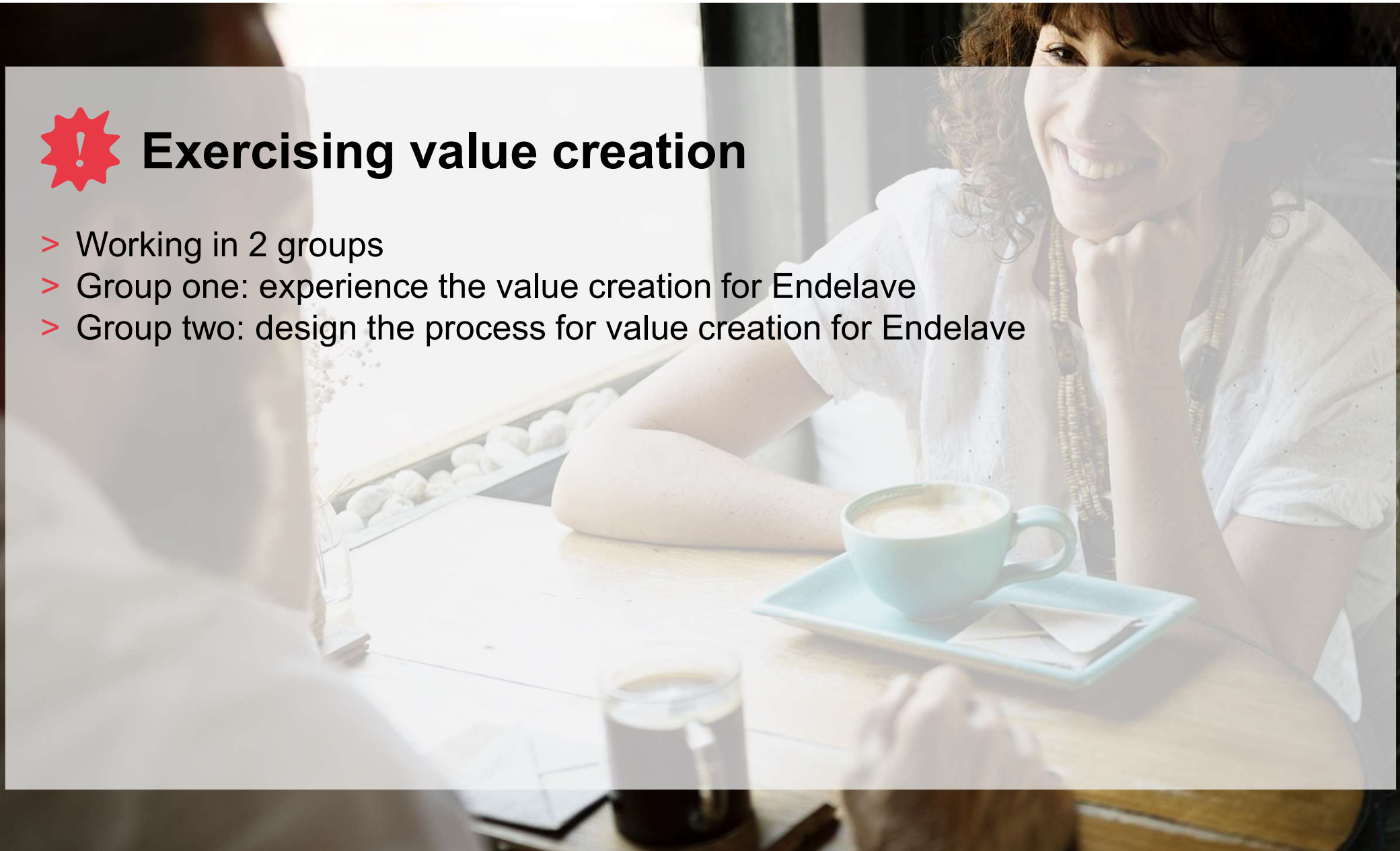
- > Co-operative instead of competitive
- > Constructive dialogue



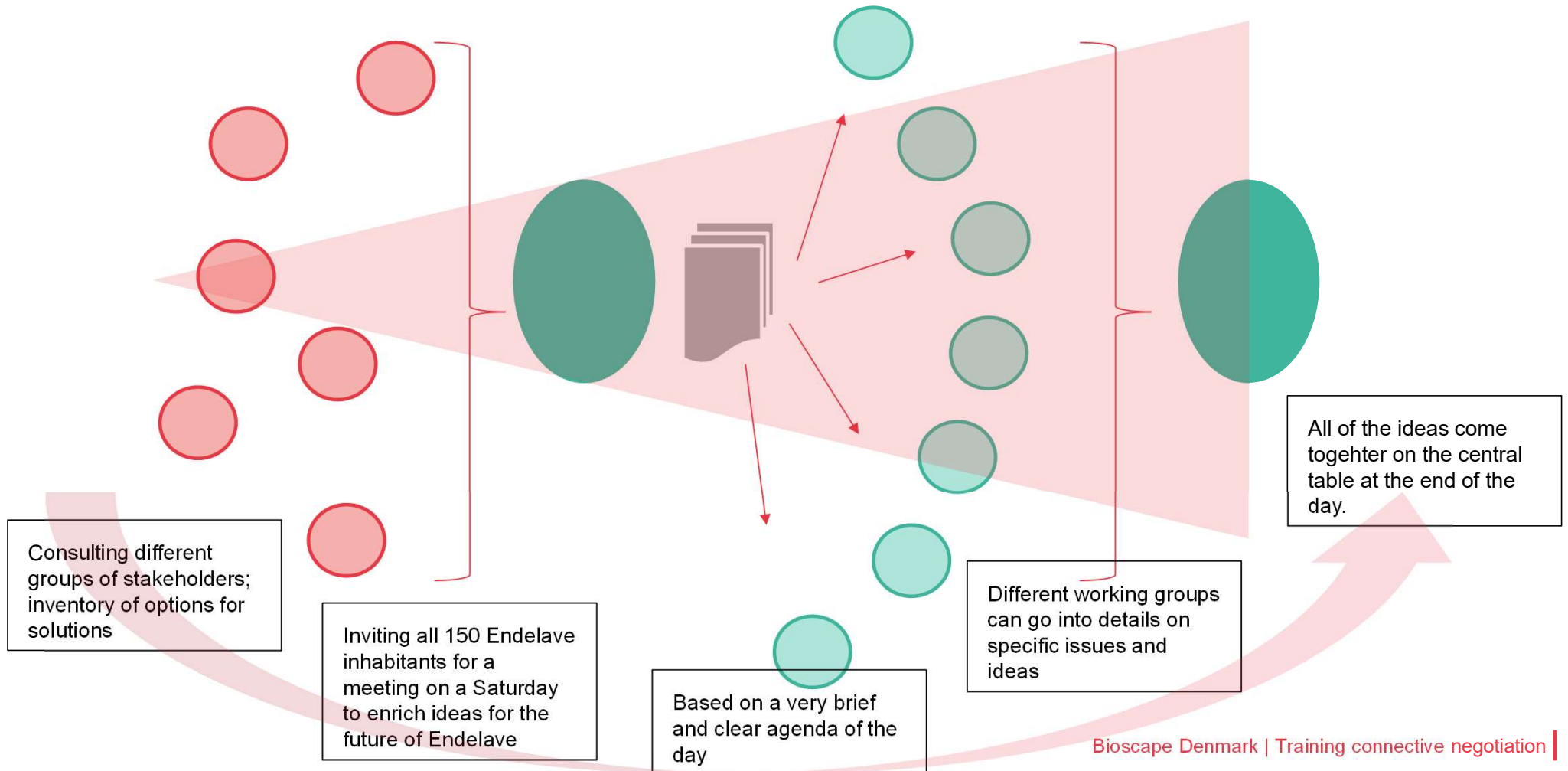


Exercising value creation

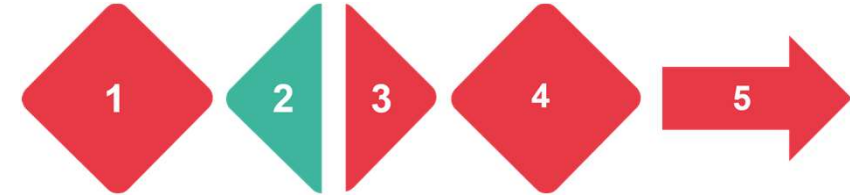
- > Working in 2 groups
- > Group one: experience the value creation for Endelave
- > Group two: design the process for value creation for Endelave



An **EXAMPLE** of a process plan for value creation



Objective criteria

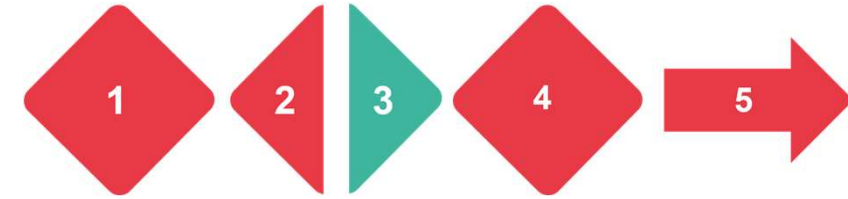


- > What should a good solution require?
- > How do we "measure" that objectively?

Examples

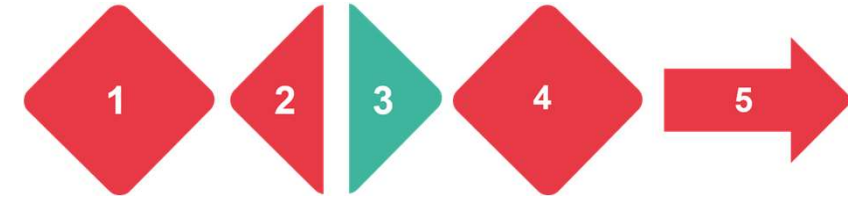
- > Scientific assessment
- > Equal treatment
- > Proportional investment

Step 3 | Distribute value



- > For each issue, at least one option best fits the interests and objective criteria
- > From options to packages to 1 package
- > Discuss how you distribute the pie

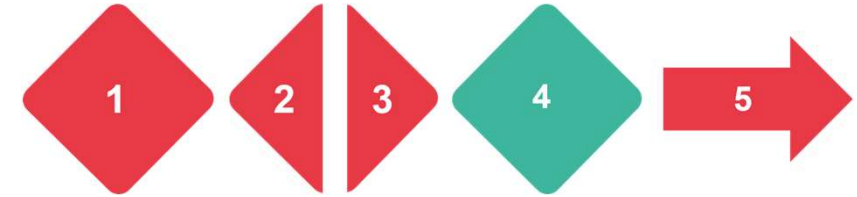
From options to packages



- > Starting from multiple issues in a problem
... and several possible options per issue
- > Possible packages arise
- > If there are several that meet the interests of everyone,
you want the very best!



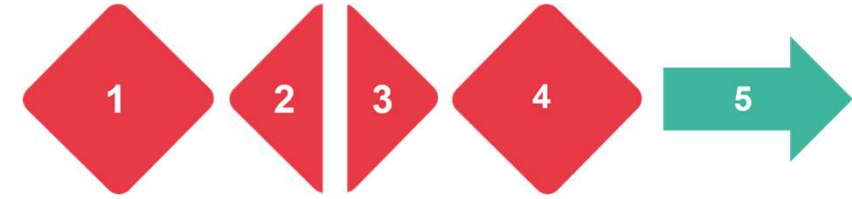
Step 4 | Compose an agreement



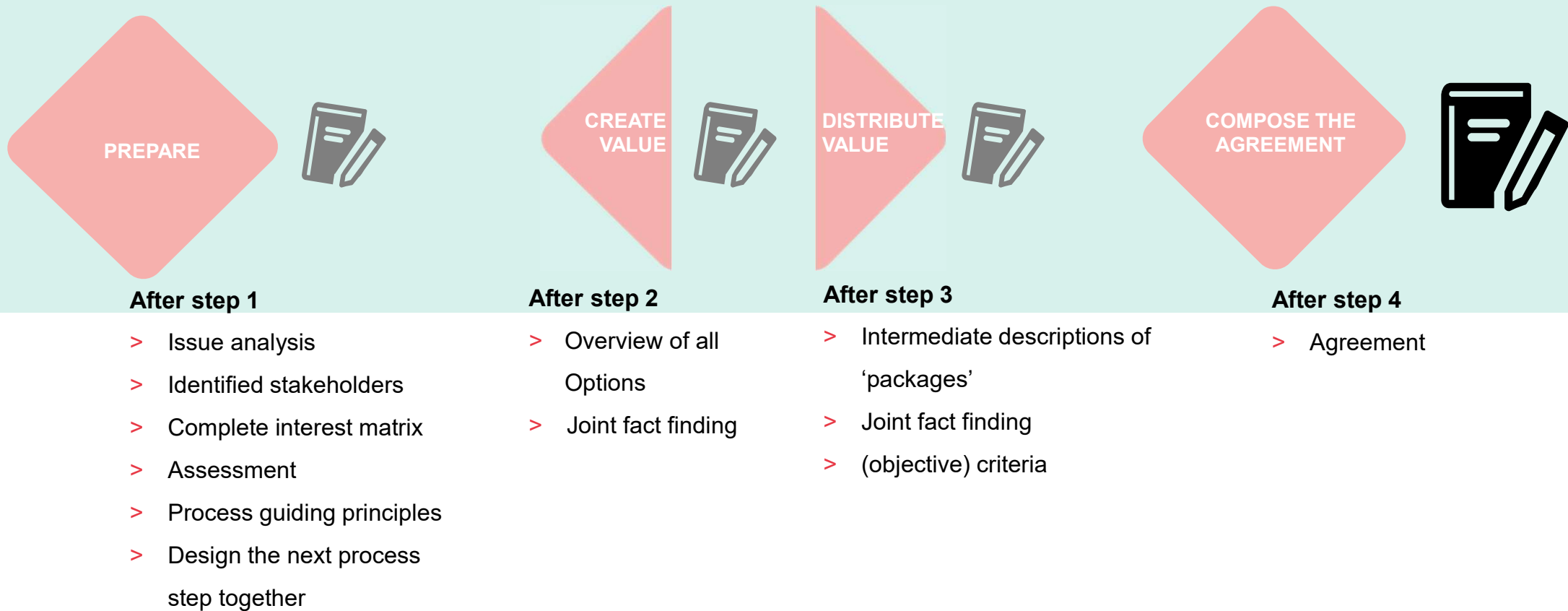
- > Design agreements that almost "execute themselves"
 - Work with one text
 - Make it easy to meet obligations
 - Agreements about "what if ..." in step 5
 - Agreements about implementation, management, monitoring etc
 - Agree on how you want to resolve disagreements
- > Legally valid agreement
- > Prepare the formal decision-making and consultation of the rank and file

Step 5 | Follow through

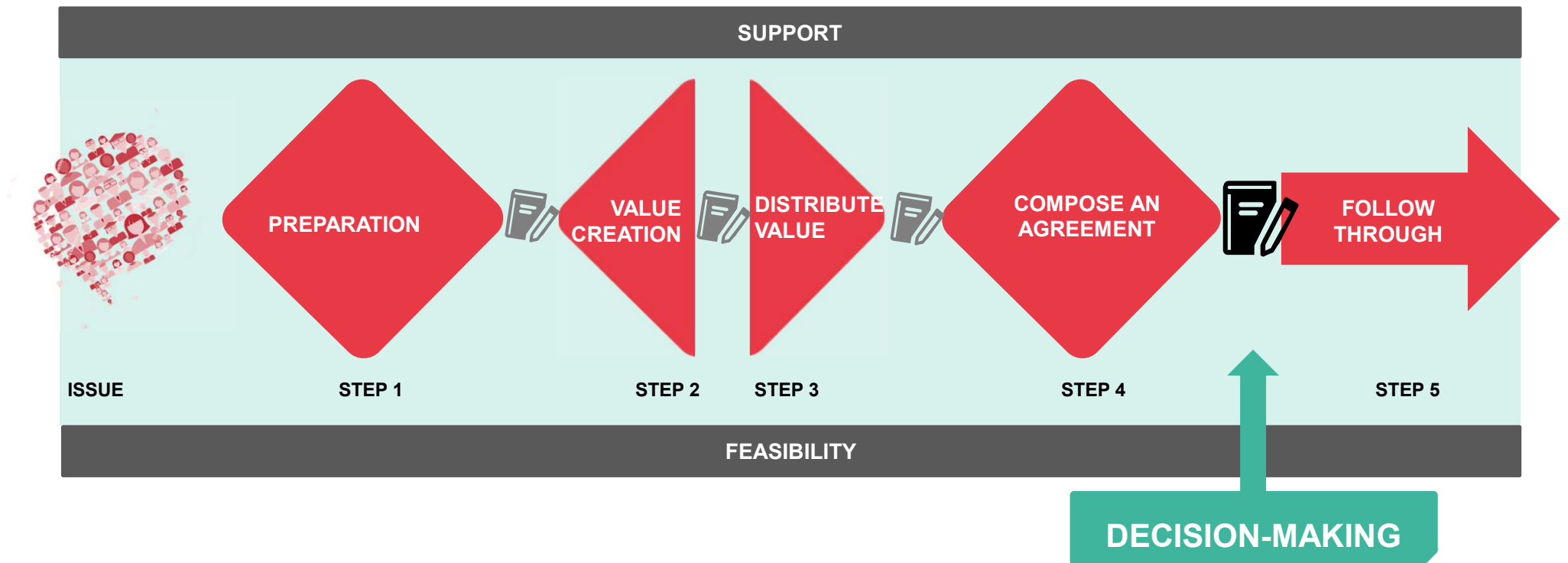
- > Continue to build on trust
- > Additional decisions and preparatory work
- > Keep working in the spirit of the agreement
- > Prevent conflicts / fall back on escalation agreements



Consolidation in a MGA process



Decision-making in a MGA process





Connective negotiation | joint fact finding



Dilemma's in Fact Finding

THE START

You ask a reckoned engineering company to do the research and you present the outcome to the stakeholders

You invite the stakeholders to articulate the questions they have, and you select an engineering company together



Dilemma's in Fact Finding

THE PROCESS

**First results are available;
your office takes a close look
on the results, asks the
engineering company to
change some texts, and
you're are ready to present
the results to the
stakeholders.**

**First results are available; you
ask the engineering company
to present them to the
selected team of different
stakeholders who are
mandated to guide the
research.**

Dilemma's in Fact Finding

THE RESULTS

Results of the research are presented, but they do not bring any rest. The facts are still questioned.

Results of the research are presented and accepted. The results inform the decision making.



Definitions of Joint Fact Finding

Joint Fact Finding is a **process** that involves **stakeholders** to

- > jointly **identify questions** they want answered,
 - > define a **research agenda** that includes these questions,
 - > tapping **multiple sources** of knowledge and information
- and thus arrive at a set of facts that all want to **accept**. (Todd Schenk, 2017)

Joint Fact Finding challenges groups of **stakeholders with different interests**, to collect **shared information** together, which all parties can **accept** and find **useful for their decision-making** (Adler et al 2011).


JOINT FACT FINDING

- > Make clear what you need to know to book progress and prepare decision making
- > Make clear what you already know and what additional knowledge is needed
- > Articulate the research question & the research team (trusted by all parties)
- > Agree on accepting the results (not on what to do with it)
- > Form the research guiding team
- > Undertake the research
- > Share the results
- > Prepare for next steps

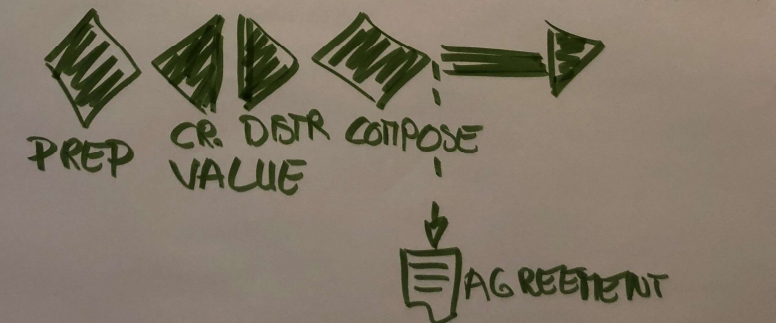
Wrap up of 3 days training

RECAP

* 5 ESSENCES
*- GAIN-GAIN EGG-ERCISE-

- ↓ WHY?
- ① INTERESTS - ~~POSITIONS~~
 - ② CREATE VALUE  ENDEAVOUR EXERCISE
 - ③ BATNA - OAKLAND
GIOSA - SIMULATION
 - ④ RELATIONSHIPS - BUILDING TRUST
- GUIDING PRINCIPLES
- 6 PILARS
 - ⑤ JFF - MILLSTREAM

* 5 STEPS



* PROCESS DESIGN



REGISSEURS
VAN EEN
BETERE
TOEKOMST

