



HOME STUDY FOR TENANTS Skills in Negotiating

Workbook

AIM:

The aim of this self - study pack is to assist you to enhance your negotiation skills

WHAT WILL YOU LEARN IN THIS WORKBOOK:

In this workbook you will:

- ❖ Identify what type of negotiator you are
- ❖ Understand the different roles people play in negotiations
- ❖ Consider what will assist you in your negotiations

HOW TO USE THIS WORKBOOK

Go through it at your own pace. Stop for a break whenever you want or at times suggested in the workbook - whichever suits you best. When you start up again, look back at the section you have just completed.

As you go through the workbook you are asked to carry out tasks.

Do not look ahead in the workbook for answers. These are given in the correct place in the workbook. You will come to them at the correct stage.

If you get stuck on something, try the following:

- ❖ Leave aside and try again later
- ❖ Turn back pages in the workbook looking for clues and ideas
- ❖ Phone TIS for assistance - use our free phone number 0800 731 3772

Hello and welcome to this Skills in Negotiating Workbook. It is hoped you will find the workbook informative, enjoyable and easy to use. Take your time and carry out the tasks at your own pace, but remember to follow the order of the book and don't miss sections or jump ahead to others too soon.

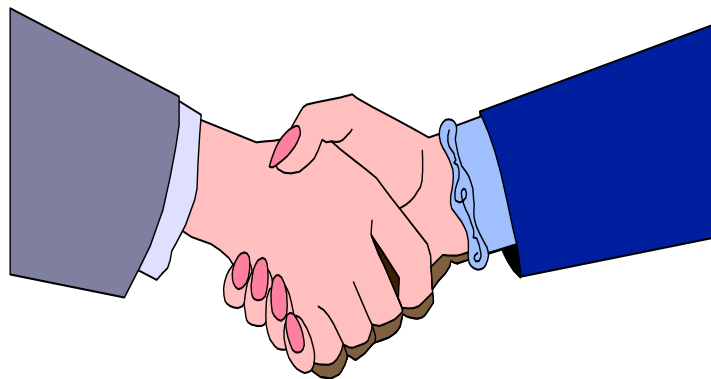
Have Fun and Good Luck!

INTRODUCTION

As a member of a tenants / residents group you may, at some time, be called upon to represent your group in negotiations with your landlord and / or with other agencies. Or you may have to persuade other members of your group to agree with your point of view.

Whatever your situation we all know that being involved in a negotiation is often not an easy a task as we would first think.

As you work through this workbook it will hopefully become clear that not only is the role of negotiator important to the effective running of the association but that there are specific responsibilities and tasks that must be carried out in order to ensure you get results from your negotiations. This is especially true of those negotiations you enter into with your landlord.



DEVELOPING NEGOTIATING SKILLS

Section 1

How do you feel about being involved in Negotiating?

In order to assist you further develop your negotiating skills it is useful to take time to reflect on how you feel when getting involved in negotiations. This is true both if you have been involved in many negotiations in the past as well as if it is the first time you have been asked to represent your group in a negotiation meeting or process.

Exercise 1

Look at the following words and tick the ones you may feel when getting involved in negotiating:

	Tick		Tick
Oh no		Great	
Excited		Embarrassed	
Freaky		Great	
Okay		Fantastic	
Scared		Interested	
Revolted		Nervous	
Ace		Curious	
Wow		Annoyed	
Fed up		Super	
Lousy		Frustrated	
Super		Gulp	
So what?		Anxious	
Lovely		Fine	

In the space below please insert any other words not covered that may describe how you feel about negotiating:

--

Exercise 2

Now have a look at the words you have ticked:

Are these words mainly:

Positive (please tick)

Negative (please tick)

Now take some time to consider why it is you feel like this:

You can make notes in the space below:

There are many reasons people may feel as some of the words above describe, such as:

- ❖ **It's something you've never done before** - new experiences can be rather daunting and make us anxious or afraid of making a fool of ourselves
- ❖ **The last time you met the landlord you felt no one listened to your views** - this can make us loathe to have the same thing happen again
- ❖ **In previous negotiating meetings your point was lost because another member of your group kept wandering off the point** - sometimes it's easy to get side tracked into other things
- ❖ **Your getting more familiar with how the other side operates** - this means you can be prepared and get a good outcome
- ❖ **You've done your homework and know that what you want from the negotiations will be the best for everyone** - it may be easier to persuade the other side to agree with you when you can explain the mutual benefits
- ❖ **This is an issue you are very passionate and informed about** - knowing your subject well can assist you put your message across and persuade others to your point of view

These are just some examples of why you may feel how you do about negotiating.

Point to Note

Planning, Preparation and Practice are all good skills that will assist in negotiating!

Section 2

What Type of Negotiator are you?

In order to further develop negotiating skills it is beneficial to reflect on what kind of negotiator you think you are:

Exercise 3

Please tick whether you agree or disagree with the following statements:

	Statement	Agree	Disagree
1.	Negotiators should not reveal their true feelings in case their opponents take advantage.	Red	Blue
2.	A marginally acceptable deal is better than no deal at all.	Blue	Red
3.	If an opponent gives me an opportunity to take advantage discreetly, that's their problem	Red	Blue
4.	I will renegotiate profitable deals if the other negotiator says they are in difficulty.	Blue	Red
5.	I look after my own interests and leave my opponents to look after theirs.	Red	Blue
6.	It is generally beneficial to be open about one's true circumstances.	Blue	Red
7.	I am worried about rejection when negotiating.	Blue	Red
8.	If opponents are too soft and can't look after themselves that's their look out.	Red	Blue
9.	A good cause is more worthy than power.	Blue	Red
10	When opponents buckle under pressure I should push harder.	Red	Blue

a) Add up the number of blue responses

b) Add up the number of red responses

c) Are you mainly a red or a blue negotiator

What does this say about you?

In the "Red & Blue Spectrum the following characteristics are likely:

Red	Blue
• Takers	• Givers
• Competitive	• Partners
• Bluff & Coerce	• Co-operative
• Goal is to win	• Goal is to succeed

Exercise 4

Think about each of the above qualities, can you think of something negative and something positive for each in terms of how they would approach a negotiation.

	Positive	Negative
Takers		
Givers		
Competitive		
Partners		
Bluff & Coerce		
Co-operative		
Goal is to win		
Goal is to succeed		

Point to Note

Many people fit quite clearly into one category of negotiator as opposed to another. Other people will act differently in different types of negotiations, maybe depending on who or what the other side is.

There is no straightforward "good" or "bad" way - but it is useful to remember that how we behave in one negotiating situation may affect how the other side will deal with you in the future.

The next exercise is quite a lengthy questionnaire, so you may wish to take a short break now to prepare yourself for completing it.



Exercise 5

ASSESSING YOUR ABILITY

Everyone is frequently involved in negotiation at association meetings, at work and at home, but in order to be truly successful at it you need to assess your skills.

Evaluate your performance by responding to the following statements, and mark the options that are closest to your experience.

Be as honest as you can: if your answer is "never", circle Option 1; if it is "always" circle Option 4; and so on.

Add your scores together, and refer to the Analysis to see how you scored. Use your answers to identify which areas need improving.

Options

1 Never 2 Occasionally 3 Frequently 4 Always

1. I research the other party before I enter into negotiations.

1 2 3 4

2. I read background material before I devise my strategy.

1 2 3 4

3. I am clear about the main objectives of the negotiation.

1 2 3 4

4. I choose negotiating tactics that are appropriate to my objectives.

1 2 3 4

5. My negotiating strategies enable me to achieve my main objectives.

1 2 3 4

6. When I use others to represent me, I brief them thoroughly.

1 2 3 4

7. When I use others to represent me, I am to give them as much authority as they need.

1 2 3 4

8. I have a flexible attitude towards negotiations.

1 2 3 4

9. I believe negotiations to be an opportunity for both parties to benefit.

1 2 3 4

10. I enter into negotiations determined to reach a satisfactory agreement.

1 2 3 4

11. I communicate my points in plain language.

1 2 3 4

12. I communicate my points logically and clearly.

1 2 3 4

13. I consciously use body language to communicate with the other party.

1 2 3 4

14. I avoid exposing the other party's weaknesses.

1 2 3 4

15. I am polite at all times during the negotiation.

1 2 3 4

16. I create deadlines that are realistic and determined by the negotiation

1 2 3 4

17. I use my instincts to help me understand the other party's tactics

1 2 3 4

18. I have enough power to make decisions when necessary

1 2 3 4

19. I am sensitive to any cultural differences of the other party

1 2 3 4

20. I work well as a member of a negotiating team

1 2 3 4

21. I am able to be objective and put myself in the position of the other party.

1 2 3 4

22. I know how to guide the other party into making an offer

1 2 3 4

23. I avoid making the opening offer

1 2 3 4

24. I make progress towards agreement via a series of conditional offers

1 2 3 4

25. I approach my final objectives step by step

1 2 3 4

26. I show emotion only as part of a tactical move

1 2 3 4

27. I regularly summarise the progress that has been made during negotiations

1 2 3 4

28. I use adjournments tactically to give me time to think

1 2 3 4

29. I introduce third parties when the negotiations break down

1 2 3 4

30. I employ a mediator as an effective way of breaking a stalemate

1 2 3 4

31. I ensure that any agreement is signed by each party

1 2 3 4

32. I prefer to negotiate a win/win situation whenever possible

1 2 3 4



How do you shape up?

ANALYSIS

Now you have completed the self-assessment, add up your total score and check your performance by reading the corresponding evaluation. Whatever level of success you have achieved when negotiating, it is important to remember that there is always room for improvement.

Identify your weakest areas, and refer to the sections in this workbook where you will find practical advice and tips to help you establish and hone your negotiating skills.

32 - 64

Your negotiating skills are weak. Learn to use and recognise the strategies and tactics essential to successful negotiation.

65 - 95

You have reasonable negotiating skills, but certain areas need further improvement.

96 - 128

Your negotiations are successful. Continue to prepare thoroughly for every future negotiation.

Section 3

The Roles People Play in Negotiations

Exercise 6

Within any negotiating scenario you may be involved in on behalf of your group you will find that there are certain roles people will play. You may also find that negotiations are not always conducted by only one individual - but by a "negotiating team".

The following exercise will assist you to identify the roles that may be played by members of negotiating teams - both your own and your "opponents":

Have a think about what these roles may be - fill in the blanks to assist you to identify them

- L _ ad _ r,
- G _ _ d G _ y,
- Ba _ G _ y,
- _ar _ Li _er,
- Sw _ _ p _ r

Did you manage to work out the roles as *Leader, Good Guy, Bad Guy and Sweeper?*

Maybe you can come up with some other roles of your own? Note them in the space below:

--

Keep a note of all of these roles - you may have come across them in previous negotiations or maybe you will be able to look out for them in future negotiations.....

Now lets have a think about what these "players" or team members may do....

Enter in the space below what you think each of the "players" roles' may be...

Leader	
Good Guy	
Bad Guy	
Hard Liner	
Sweeper	

Did you come up with anything like the following?

Leader	Any negotiating team needs a leader. This may be the person with the most expertise, not necessarily the most senior member of the team or an office -bearer just because they have a designated position within your group.
Good Guy	This is the person with whom most members of the opposing team will identify. They may wish the <i>Good Guy</i> was their only opponent.
Bad Guy	The opposite of the <i>Good Guy</i> , this person's role is to make the opposition feel that agreement would be more easily reached without him or her.
Hard Liner	This member takes a tough line on everything. He or she presents the opposition with complications, and is often deferred to by team members
Sweeper	This person picks up and brings together all the points of view expressed, and then puts them forward as a single, coherent case.

Now lets move on to think about what the responsibilities of these "players" may be....

Exercise 7

The following list details the different responsibilities of the above 5 "players" - please insert in the box provided, which of the "players" would have this responsibility.

Responsibility	Whose role?
Conducting the negotiation, calling on others occasionally when needed.	Leader (e.g.)
Stopping the negotiations from proceeding, if and when needed.	
Suggesting ways or tactics to get out of the deadlocked negotiation	
Expressing sympathy and understanding for the opposition's point of view.	
Observing and recording the progress of the negotiations.	
Pointing out any inconsistencies in the oppositions' argument.	
Appearing to backtrack on a position previously held by their own team.	

Ruling on matters of expertise - for example, deciding if there is enough money available to finance a project.	
Undermining any argument or point of view the opposition puts forward.	
Preventing the discussion from straying too far from the main issues.	
Lulling members of the opposing team into a false sense of security, allowing them to relax.	
Delaying progress by using stalling tactics.	
Organising the other members of the team.	
Allowing others to retreat from soft offers that they might have made.	
Intimidating the opposition and trying to expose their weaknesses.	

📄 How did you get on with this exercise?

📄 Did you notice any tactics that you or members of your group have used whilst being involved in negotiations?

📄 Did you notice any tactics that may have been used by the "other side" whilst you have been involved in negotiations?

Point to Note

As much as you will have planned the tactics that you will use whilst in negotiations – the “opposition” will have done the same. It is always worthwhile to take some time before the negotiation to discuss what you think their negotiating points or tactics will be – especially if you have already been involved in a negotiation with the same people before.

The following shows what responsibility each “player” holds. How do your answers match up?

Responsibility	Whose role?
Conducting the negotiation, calling on others occasionally when needed.	<i>Leader</i>
Stopping the negotiations from proceeding, if and when needed.	<i>Bad Guy</i>
Suggesting ways or tactics to get out of the deadlocked negotiation	<i>Sweeper</i>
Expressing sympathy and understanding for the opposition's point of view.	<i>Good Guy</i>
Observing and recording the progress of the negotiations.	<i>Hard Liner</i>
Pointing out any inconsistencies in the oppositions' argument.	<i>Sweeper</i>
Appearing to backtrack on a position previously held by their own team.	<i>Good Guy</i>

Ruling on matters of expertise - for example, deciding if there is enough money available to finance a project.	<i>Leader</i>
Undermining any argument or point of view the opposition puts forward.	<i>Bad Guy</i>
Preventing the discussion from straying too far from the main issues.	<i>Sweeper</i>
Lulling members of the opposing team into a false sense of security, allowing them to relax.	<i>Good Guy</i>
Delaying progress by using stalling tactics.	<i>Hard Liner</i>
Organising the other members of the team.	<i>Leader</i>
Allowing others to retreat from soft offers that they might have made.	<i>Hard Liner</i>
Intimidating the opposition and trying to expose their weaknesses.	<i>Bad Guy</i>

This may be a good time to have a break!



Section 4 Preparing for a Negotiation

Exercise 8

Defining Negotiation - what is it exactly?

"Negotiation occurs when someone else has what you want and you are prepared to bargain for it - and vice versa"

Please complete the blanks in the following statements about negotiating:

- A) N _go_ ia _io_s can take place ev_ry day b_t_eeen f_m_ly mem_ers, sh_p_ee_ers and almost c_nt_nuou_ly in the wo_k of t_n_nts and resi_en_s a__ociations.
- B) Suc_ess_ul negotiating is an at_em_t by two people or g_ou_s to ach_ev_ a mutually acceptable s_lut_on and should not r_sul_ in a wi_n_r and a l_ser.
- C) It is a p_o_ess that ends either with a s_tis_ying co_clu_ion for both sides (win/ win) or with f_il_re for booth sides (lose / lo_e).
- D) The art of ne_otiat_on is based on at_empt_ng to re_onc_le what constitutes as good result for the o_er party. To achieve a situation where both sides win something for themselves, you need to be well p_ _pared, a_ert and f_exi_le.

Did you work out the statements as follows?

All good negotiations should take on these elements - to ensure you are able to look for these elements in a negotiation, you need to be PREPARED!

- A) Negotiations can take place every day between family members, shopkeepers and almost continuously in the work of tenants and residents associations.
- B) Successful negotiating is an attempt by two people or groups to achieve a mutually acceptable solution and should not result in a winner and a loser.
- C) It is a process that ends either with a satisfying conclusion for both sides (win/ win) or with failure for both sides (lose / lose).
- D) The art of negotiation is based on attempting to reconcile what constitutes as good result for the other party. To achieve a situation where both sides win something for themselves, you need to be well prepared, alert and flexible.

Exercise 9

A scenario

Imagine that you have been nominated by your group to represent it at a meeting with your landlord to discuss the current window replacement contract in your area.

Many tenants have complained to the association that the new windows are faulty and do not close properly. Also when working on the houses, the workmen have damaged much of the surrounding plaster - work, wallpaper and, in some cases, carpets.

The landlord does not seem willing to compensate these tenants or stop contractors continuing with the work. However the association has managed to get the landlord to agree to this meeting to discuss the issues.

Use the boxes to assist you prepare for this meeting.

What do you want to achieve from this meeting?

How do you think the landlord will react?

What information do you think you will need to persuade the landlord of your point of view?

What could you use as a bargaining tool(s)?

How would you want the meeting to end?

In order to successfully prepare for a negotiation try to remember the following:

1. Write down all your objectives

The first step in planning any form of negotiation is to identify all your objectives - What do you want to get out of the negotiation?

Only when you know that can you begin to put together a game plan that will enable you to achieve these goals.

2. Prioritise objectives

There is rarely one objective to a negotiation.

Before entering a negotiation, make a list of all your objectives, then put them in order of priority and identify those that you can live without.

When it comes to a compromise you will then be aware of which objectives to give up first.

3. Identify issues open to compromise

By classifying priorities you can divide them into three groups:

- Those that are your ideal
- Those that represent a realistic target
- Those that are a minimum to fulfil so that the negotiation is not a failure

Point to Note!

Always remember that when you are the representative of an association all of the above must be agreed by the members of the group, prior to the meeting with the landlord. You are there to represent their views - not just your own.

Exercise 10

Have a think about what would let you down in a negotiation. You can use an example from a previous negotiation that you were involved in or something you may know of from your group or a situation you may have seen on TV.

From the example you have identified, write down the kinds of things that you think would let you or others down in a negotiation

Did you come up with any of the following?

- No preparation
- The information you had was incorrect
- You could not back up your argument with statistics, names and addresses of people etc
- You were asked to attend the meeting at the last minute and therefore had no time to prepare
- Your group had not discussed the issue fully and agreed what everyone wanted to get out of the meeting
- The opposition had planned for the meeting and you were caught out
- The other members of your group with whom you attended the meeting kept going off the point and discussing other issues
- The other members of your team disagreed and were willing to compromise too soon
- The opposition kept using jargon and statistics that no one else could understand

Points to remember when preparing for a negotiation.

1. Incorrect information is worse than no information at all

Preparing yourself for serious negotiation involves thorough research. You will need to seek out useful information to support your objectives - once you have identified them - and find information that will help you undermine the other party's case

2. Preparation time is vital

You may need time to complete research, collect information, find out about the people you will be negotiating with etc. In addition it is important to absorb and make sense of the information. (Both for yourself and the others in your group)

3. Accounts can be a useful information resource

- Your approach should bear in mind what information is available to the other party
- Too many statistics may only confuse an issue
- It is worth developing lines of access to information, since they may be useful in the future, if not now

Exercise 11

Assessing the Opposition - another planning tool

Please identify what you think will be worth knowing about your opposition before entering into a negotiation...

Some other things to think about!

- Have you met with them before?
- Was it in a negotiation setting or mainly an informal discussion or information sharing?
- What kind of relationship do you have? Is it amicable or tetchy?
- What do they have to lose in this situation?
- What do you have to lose in this situation?
- Is there any common ground?
- Will the opposition team be made up of people you do or don't know?
- Are there any differences of opinion among the opposition?
- Are the opposition under pressure to settle quickly?
- Does the opposition have the power and authority to achieve their aims?

Exercise 12

Please fill in the blanks to identify what you should do...

Assessing the Opposition
<ul style="list-style-type: none">• L__ ki _ g at their c_se• A_se_si_g s_ren_ths• I_en_if_ing o_je_ti_es• A_al_si_g their we_k_es_es

Did you come up any of with the following?

Assessing the Opposition

Looking at their case	Study all aspects of the oppositions case. Aim to expose its major weaknesses in order to undermine its strengths. Although the logical argument in favour of the opposition case may be strong, you may be able to counter a logical proposition with e.g. a moral objection, or by using a previously agreed code of practice.
Assessing strengths	Negotiation involves a process of gradual movement towards agreement or compromise, therefore you need to assess the oppositions starting point and their strengths. Do they have a strong case? Is it logical? Is it morally acceptable? Do they have a strong leader with good negotiating skills? Etc
Identifying objectives	Go through this exercise as you would for you own objectives and prioritise into top, middle and bottom, but remember this is only intelligent guess work.
Analysing their weaknesses	Be aware of weaknesses personally and in the oppositions' case. This is as important as knowing their strengths.

Section 5 Conducting a Negotiation

Negotiating is as much about listening and observing as it is about talking. You need to be very alert to the mood of the negotiations, since this can change quickly. Being alert involves using all your senses to pick up signals given off by others.

Exercise 13

NON - VERBAL SIGNS

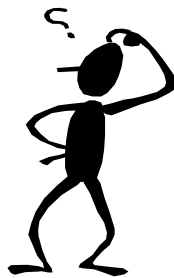
Please complete the following

1. Why do you think it may be important to read the body language of the people you are negotiating with?

2. What types of non- verbal signs do you think it would be useful to look for in a negotiation?

3. What would the following types of body language say to you?

Type of body language	What does it say?
• Crossing arms & legs	
• Leaning back in chair	
• Hesitating or fidgeting	
• Raised eyebrows	
• Smiling unnecessarily	
• Looking & turning lower body towards the door	
• Speaking really quickly	
• Often looking at watch or clock	



The following shows some ideas of what these types of body language may mean, you may have come up with some other ideas. The main thing to remember is that not everyone is aware of what their body language says to others - so remember to keep an eye on your own - you may be giving off a message you don't intend to.....

Type of body language	What does it say?
<ul style="list-style-type: none"> • Crossing arms & legs 	<ul style="list-style-type: none"> • Defensiveness
<ul style="list-style-type: none"> • Leaning back in chair 	<ul style="list-style-type: none"> • Boredom • Lack of interest
<ul style="list-style-type: none"> • Hesitating or fidgeting 	<ul style="list-style-type: none"> • Nervousness • Lack of conviction in case
<ul style="list-style-type: none"> • Raised eyebrows 	<ul style="list-style-type: none"> • Surprise
<ul style="list-style-type: none"> • Smiling unnecessarily 	<ul style="list-style-type: none"> • Nervousness • Lack of confidence • "Idiot"
<ul style="list-style-type: none"> • Looking & turning lower body towards the door 	<ul style="list-style-type: none"> • Anxious to leave • Boredom
<ul style="list-style-type: none"> • Speaking really quickly 	<ul style="list-style-type: none"> • Nervousness
<ul style="list-style-type: none"> • Often looking at watch or clock 	<ul style="list-style-type: none"> • Wanting to leave • Other interests / commitments • Not interested

Thinking about a negotiation you may have recently been involved in or one that you plan to be involved in soon, complete the following

- What type of non- verbal signs do you think you would see in the other negotiating side?

Negative	Positive

- What type of non-verbal signs may your own negotiating team give off?

Negative	Positive

Exercise 14 Making a Proposal

Making a proposal is fundamental to all negotiation. It is vital to decide early on in the planning process whether you wish to speak first, or to respond to the proposal from the opposition. This decision is a crucial part of the negotiating strategy.

1. What do you think would be the pros & cons of putting your proposal first?

Pros	Cons

2. What do you think would be the pros & cons of putting your proposal second?

Pros	Cons

Making a Proposal - Points to Note

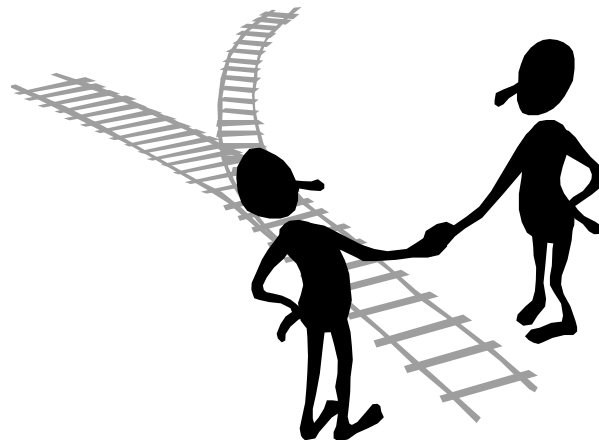
Keeping Your Options Open!

Leave yourself plenty of room for manoeuvre when presenting your case. Do not make brash statements that suggest your position is immovable - make your hypothetical statement to leave scope for both sides to make concessions at any time.

Do's & Don'ts

- 4 Do listen carefully to the other party
- 4 Do leave enough room for manoeuvre in your proposals
- 4 Do feel free to reject the first offer received
- 4 Do make conditional offers, such as "If you do this, then we'll do that"
- 4 Do probe the attitudes of the opposition:
"What would be your feelings if..."

- 8 Don't make too many concessions at an early stage
- 8 Don't make your opening offer so extreme that you lose face if you have to climb down
- 8 Don't ever say "never"
- 8 Don't answer questions directly with a simple "yes" or "no"
- 8 Don't make the opposition look foolish



Exercise 15 – The Proposal

Thinking back to the earlier window replacement scenario:

Imagine that you have been nominated by your group to represent it at a meeting with your landlord to discuss the current window replacement contract in your area.

Many tenants have complained to the association that the new windows are faulty and do not close properly. Also when working on the houses, the workmen have damaged much of the surrounding plaster - work, wallpaper and, in some cases, carpets.


The landlord does not seem willing to compensate these tenants or stop contractors continuing with the work. However the association has managed to get the landlord to agree to this meeting to discuss the issues.

Complete the following:

1. What is the proposal?

2. Who has made this proposal? You or the other side?

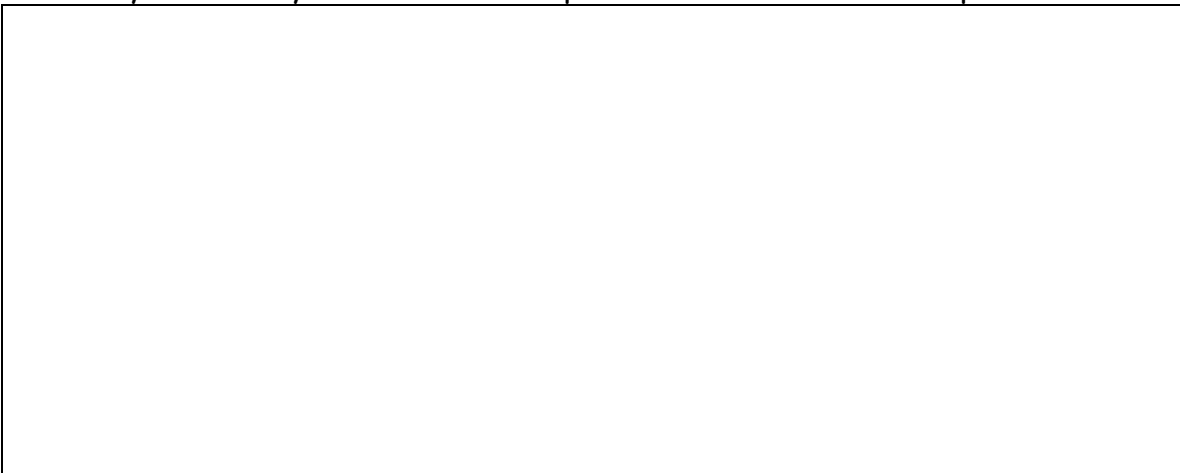
3. What do you think the response will be to this proposal?



4. Can you identify any concessions that could be made within this proposal?



5. Can you identify what would be a positive outcome for both parties?



CONDUCTING NEGOTIATIONS

SOME POINTS TO REMEMBER!

Responding to a Proposal

Try to avoid showing any immediate reaction, favourable or otherwise when responding to a proposal. Do not be afraid to remain silent when assessing the offer, but be aware that your opposition will be studying you to gauge your reaction.

Remember those non-verbal signs!

Seek clarification

When you have heard the other parties offer, do not feel that you have to respond immediately with a counter- offer. Remain as inscrutable as possible while summarising it as you have understood it.

This gives you more time to think about what has been said, and also provides an opportunity to confirm that you have understood it correctly.

This is the time to focus on any issues that you feel unsure of, and challenge the other party to correct you. For example, "If I grasp what you are saying, we cannot expect to see any improvements in this until next December" or "Can we clarify that you have taken into account the urgency of this issue amongst tenants in this area?"

It is crucial that you understand the other party's position completely.

Stalling for Time

Use stalling tactics only if you do not want to respond to your opponents' offer immediately, and use them sparingly. These are the tactics you can use without seriously jeopardising the outcome of your negotiations:

- Interrupt the other party's proposal - but only if you can disguise this as seeking clarification of a point or refocusing the discussion.
- Answer a question with a question, or ask lots of questions - after all, it does no harm to have extra information at your disposal.
- Break off the negotiations to consult with members of your group or those you represent, especially if you have already established that there is an external authority from whom you need to seek feedback.



Exercise 16

Sometimes people will use ploys to either hinder negotiations or to get what they want in a negotiation.

1. In a recent or planned negotiation that you or your group will be involved in, can you identify any ploys that the other party use / may use to hinder the negotiation or to get what they want?

2. Why would you or the opposition use ploys?

3. Is there anything you could or did do to deal with these types of ploys?

Points to Note!

Identifying and Dealing with Ploys

It is common during negotiations to encounter tactics employed to enable one party to benefit while conceding as little as possible. These ploys work by creating the perception that your power to get what you want is inferior to that of the other party, thus lowering your resistance to giving the other party its own way.

While you may not choose to use these ploys, it is important to be able to recognise and counter them so that you remain focussed on your objectives and avoid wasting time on distractions.

The Purpose of Ploys

Manipulative tactics usually have three main aims:

- To distract your team, allowing the opposition to dominate discussions
- To shift the emphasis of the negotiation in order to shape the deal on terms that are purely to benefit the opposition
- To manipulate your team into closing negotiations before you are entirely satisfied with the terms being offered

COUNTERING TYPICAL TACTICS

TACTICS	COUNTER TACTICS
<p style="text-align: center;">Making Threats</p> <p>Warning of unwelcome repercussions if you fail to agree to the terms on offer; emphasising penalties that will be incurred by your side.</p>	<p>Tell the other party that you cannot negotiate under duress, and that concessions will be made only if they can prove the merits of the case. Review other options available to you.</p>
<p style="text-align: center;">Offering Insults</p> <p>Questioning the performance of your organisation or your skills, experience or competence.</p>	<p>Stay calm, do not lose your temper or offer insults in return. Restate your position firmly, and warn that you will break off negotiations unless the other party is more constructive.</p>
<p style="text-align: center;">Bluffing</p> <p>Threatening punitive action without being too specific; making dubious assertions, such as suggesting that they can do it without you, or that others are only too keen to take your place.</p>	<p>Call their bluff; refuse to agree to the other party's terms, and wait for a reaction. Question all statements, and ask for evidence to support any claims that appear dubious.</p>
<p style="text-align: center;">Using Intimidation</p> <p>Keeping you waiting; making you sit in an awkward or uncomfortable place; receiving phone calls or visitors during negotiations.</p>	<p>Recognise that these are ploys to make you feel less confident. Do not drop your original terms unless you have gained concessions in return, and do not be coerced into settling</p>

<p style="text-align: center;">Dividing and Ruling</p> <p>Exploiting potential disagreements among members of your team by appealing to the person most sympathetic to their case.</p>	<p>Brief team members in advance, and decide on a position that is acceptable to everyone. Call an adjournment if differences of opinion arise within your team during the meeting.</p>
<p style="text-align: center;">Using Leading Questions</p> <p>Asking you a series of questions, which lead to you declaring a weakness in your negotiating position; forcing concessions from your side</p>	<p>Avoid answering questions when you do not understand the intention behind them. Check any claims made by the other party. Attach conditions to any concessions you make.</p>
<p style="text-align: center;">Making Emotional Appeals</p> <p>Accusing you of acting unfairly in not agreeing terms; stressing their sacrifices; claiming to be offended by your lack of trust.</p>	<p>Affirm your commitment to achieving a fair settlement on business terms. Ask questions to test the validity of manipulative claims. Lead the conversation back to discussing the issues.</p>
<p style="text-align: center;">Testing the Boundaries</p> <p>Gaining additional concessions through minor infringements of the terms agreed, resulting in substantial gain over a long period</p>	<p>Be clear on what exactly you are agreeing to when you reach a settlement. Draw up a clearly worded statement of terms agreed, and hold the other party to these at all times.</p>

“Kit Kat Time - Take a Break”

Section 6 - Closing a Negotiation

Sometimes bringing a negotiation to a close can prove quite difficult as each party tries to ensure that they have achieved something from the negotiation.

Exercise 17

Have a think about the following and note your answers in the boxes provided.

1. How will you know when the negotiation has come to an end?

2. What do you consider are the key things that must happen at the end of a negotiation meeting?

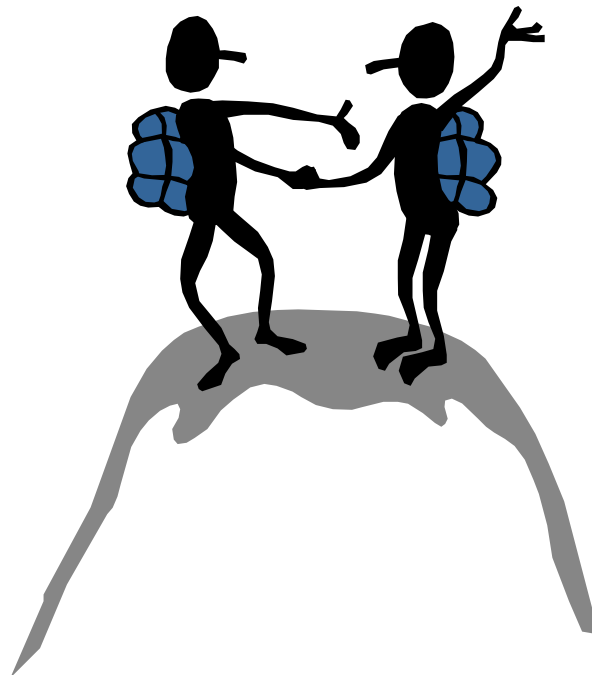
The end of the negotiation meeting could be indicated by:

- Each party achieving a satisfactory outcome and agreeing next steps
- Reaching the time set for the meeting and agreeing to meet again to further discuss the issue at a later date
- Agreement that further information is required and a timescale agreed to do this within
- One or other party deciding to withdraw from the negotiating table as it is considered that the demands of the other are unreasonable or differences cannot be resolved at this time

You may have come up with other things that could be added to this list....

At the end of a negotiating meeting it is important that:

- Each party is clear about what has been agreed and achieved
- The agreement is noted in minutes or in a letter shortly after the meeting
- That each party agrees what action is to be taken, by whom and within what timescale
- That a meeting is agreed to monitor progress and implementation of agreed actions



Exercise 18

"A negotiation can be brought to a successful conclusion only when both parties have made concessions that are mutually acceptable in order to reach agreement"

The following indicates the key stages required to ensure a successful conclusion to negotiations.

Please fill in the blanks:

- T_ad_n_ po iti_ns
- Ma_k_ng c_nc_ss__ns
- D_s_us_ing t_r_s
- N__oti_ti_g a p_c_ag_
- C_o_si_g ho_ to c_o_e
- Mo_i_g to a _lo-e
- E_cour_g_ng c_os_r_

Hopefully you filled in the blanks as follows:

Trading positions	"A delicate process of bargaining whereby each party makes concessions to reach an agreement"
Making concessions	<ul style="list-style-type: none"> • Judge how much you need to yield • Compromise without losing face
Discussing terms	<ul style="list-style-type: none"> • Near end of negotiation discuss terms of agreement • Use hypothetical proposals to help work out a basic deal • Terms may include: <ul style="list-style-type: none"> - How long agreement should stand - How problems will be addressed - Monitoring and review
Negotiating a package	<ul style="list-style-type: none"> • Draw and group together the various items under negotiation • Helps you to find out the true priorities of you opposition • If a deadlock exists - remind the other party of areas of agreement.
Choosing How to Close	<ul style="list-style-type: none"> • Check all parties have same understanding of the issue • Confirm what has been agreed • Choose a way to close the negotiation that suits your team • Focus on issues
Moving to a close	<ul style="list-style-type: none"> • Timing your offer • Create the right atmosphere • Leading up to an offer • Making a final offer
Encouraging Closure	<ul style="list-style-type: none"> • Emphasising benefits • Encouraging and applauding • Avoiding a win/lose situation • Saving face

Now to round off the workbook!

This section gives you a chance to check over what we have covered in the workbook. It takes the form of a quiz. All you have to do is insert your answers in the spaces provided

Question	Answer
1. What 3 P's assist in developing good negotiating skills?	
2. How many roles are there that people could play in a negotiation?	
3. Can you list what these roles are?	
4. Who has the role of organising all the other people in the team?	
5. What type of language should you look out for in negotiation meetings?	
6. What word beginning with (B) sums up what negotiating is all about?	
7. A satisfying outcome of a negotiation would be a _____ situation	
8. When judging the opposition what key things should you do?	
9. Negotiators use lots of tactics to get their own way - name 5	
10. What should you do to make sure that your negotiations have been successful?	

What Next?

Phone or write to TIS to ask for the Check Back Pack for this workbook.
We'll send it to you straight away.

In it you will get: -

- ❖ The answers to the quiz
- ❖ A list of other courses in the TIS "Home Study for Tenants" series
- ❖ A questionnaire to allow you to give us feedback on how well or how badly this course worked for you
- ❖ **A Certificate of Completion**

For the moment - Congratulations on completing this workbook!
We hope you enjoyed learning this way and that you will go on and do more of the courses in the series.



THE TENANTS INFORMATION SERVICE
FREEPOST 4863
GLASGOW
G2 6BR

TEL 0141 248 1242

Email: info@tis.org.uk

