

## Ønsker du også at øge involvering fra interessenter i dine projekter?

Deltag i workshopen  
Connective Negotiation  
på Isværket i Lemvig  
d. 9. – 11. september 2020



**Water Valley giver dig muligheden for at stifte kendskab til forhandlingsmetoden Connective Negotiation som bygger på Mutual Gains Approach**

**Hvornår: 9. – 11. september 2020**

**Hvor: Isværket, Havnen 62, 7620 Lemvig**

**Målgruppe: Alle der arbejder med klimatilpasning og politikere**

## Connective Negotiation

Da C2C CC partnerskabet var på studietur i Holland i forsommeren 2018, stiftede vi bekendtskab med en forhandlingsmetode, Connective Negotiation, idet Karsten Schipperheijn og Marja van Schie fra konsulenthuset P2 gav introduktion hertil. Vi så nogle projekter, hvor metoden var anvendt for at opnå bred interessentinvolvering i projektd udviklingen og dermed ejerskab til løsningerne. Der har i partnerskabet været udvist stor interesse for at lære mere om metoden, og nu har du muligheden. Man er også velkommen til at deltage, selvom man ikke er en del af C2C CC partnerskabet. Dog vil C2C CC partnerskabet og støttende aktører blive givet fortrinsret til workshoppen.

Connective Negotiation har rødder i metoden Mutual Gains Approach (MGA) som er udviklet af Harvard University og Massachusetts Institute of Technology (MIT) i USA. MGA tager udgangspunkt i, at en brugbar aftale har mere værdi, end ingen aftale. Connective Negotiation er forankret i en europæisk kontekst, men er centreret om mange af de samme principper som MGA.

### Water Valley har bedt P2 om assistance

Water Valley har bedt P2 om at gennemføre et kursus og en master class, som udbydes 9. - 11. september 2020 af Klimatorium i Water Valley. Kurset er målrettet alle projektleder og projektmedarbejdere som arbejder med klimatilpasning. Master class er målrettet politikere.

Kurset omfatter 2½ dags træning i Connective Negotiation for maksimalt 70 deltagere. Det maksimale antal deltagere kan justeres som følge af Corona situationen og de nødvendige hensyn i den forbindelse. Kurset finder sted på Isværket, Havnen 62, 7620 Lemvig. 2 uger før kurset tilbydes et et-timers webinar, der vil bringe deltagerne i den rette stemning. Her vil trænerne introducere sig selv og lære deltagerne bedre at kende, samt få større indsigt i de konkrete problemstillinger som deltagerne sidder med.

### Program:

#### 27. august 2020 kl. 15.00-16.00

##### *Introducerende webinar*

- Forventningsafstemme
- Online læring og forberedelse til selve workshoppen
- Få deltagerne i den helt rette stemning

#### 9. september 2020, 9.00 - 17.00

09.00 - 09.30 Registrering og morgenmad

09.30 - 12.30 Workshop

12.30 - 13.30 Frokost

13.30 - 17.00 Workshop

##### ***Teori og praksis om essenserne i MGA-metoden***

- Introduktion, at lære hinanden at kende, sætte grundregler
- Rammerne for engagement af essenser og MGA's bidrag hertil
- Øvelse med nøgleelementer og essenser fra MGA

#### 10. september 2020, 8.30 - 17.00

08.30 - 09.00 Registrering og morgenmad

09.00 - 12.30 Workshop

12.30 - 13.30 Frokost

13.30 - 17.00 Workshop

##### ***Processtyring og praksis fremgangsmåden i en simulering***

- Trinene i MGA-metoden
- Processtyring og praktiske værktøjer
- Øve en politikformidlingsproces for interessenters engagement i simulering
- Lektioner til gruppen og personlig coaching
- Opbygning af bæredygtige relationer

# Connective Negotiation / MGA

## 11. september 2020, 8.30 - 13.30

08.30 - 09.00 Morgenmad  
09.00 - 12.30 Workshop  
12.30 - 13.30 Frokost

### **Anvendelse af fremgangsmåden i egne projekter**

- Arbejde med fremgangsmåden i dine projekter
- Identificering af centrale spørgsmål, interesser og definition af interesser
- En kort udflugt for at opleve en anden indstilling
- Arbejde med kreativitet mod løsninger, der fungerer i praksis
- Afsluttende konklusioner og opfølgning

## 11. september 2020, 12.30 - 16.30

12.30 - 13.30 Frokost  
13.30 - 16.30 Master Class

### **Master Class med politikere og styregruppe**

Tilrettelægges nærmere sammen med interesserede – [meld dig gerne](#)

## Deltagelse

Det er gratis at deltage.

Vi ser gerne at alle som deltager i workshoppen også deltager i det forudgående webinar. Der kan dog være nogle som ikke har mulighed for dette.

Det er derfor vigtigt, at du tilmelder dig begge dele hvis du har mulighed for det.

Tilmelding skal ske senest d. 24. august.

Du kan tilmelde dig til [webinaret her](#) og til [workshoppen her](#).

Du kan tilmelde dig [masterclass her](#)

## OBS:

Du skal selv booke værelse, hvis du ønsker overnatning.

Vi foreslår at du bestiller overnatning på Hotel Nørre Vinkel så vi alle er samlet et sted. Det kan være en god idé at være hurtig ude. Husk at sig at du er sammen med Region Midtjylland.

**Hotel Nørre Vinkel**  
**Søgårdevejen 6, 7620 Lemvig**  
**Telefon: 97 82 22 11**

Priser: Enkeltværelse 875kr. og dobbeltværelse 999kr. begge er inkl. morgenmad.

Vi vil om aftenen tage ud og spise sammen og dette vil koste ca. 350kr.

Har du yderligere spørgsmål er du velkommen til at kontakte [Henrik Vest Sørensen](#)



## Undervisere

### **Karsten Schipperheijn, ejer og CEO i P2.**

Uddannet i politisk historie, har arbejdet som lobbyist i Bruxelles, Haag og London og som strategisk rådgiver i en offentlig organisation. De sidste 15 år er han specialiseret i beslutningstagning i komplekse projekter med mange interessenter. Han blev trænet i MGA-tilgangen i Boston og har siden da trænet i anvendelse af denne konsensusopbyggende tilgang. Karstens mor er dansk og han besøger Danmark så ofte som muligt, bl.a. når han nyder tilværelsen i sit sommerhus i nordsjælland.

### **Femke Vergeest, seniorkonsulent i P2**

Femke er engageret i at mennesker skaber varige løsninger sammen og er specialiseret i MGA. Hun er uddannet biolog og har specialiseret sig i samarbejde mellem mennesker og organisationer. Hun har erfaring med at arbejde med ngo'er, regeringer, virksomheder og lokale interessegrupper i civilsamfundet. Især inden for vand, natur, rekreation, landbrug og miljø arbejder hun med at skabe konsensus og finde bæredygtige løsninger til komplekse problemer. Hun forbedrer dialog og empowerment af mennesker ved at arbejde med dem på jobbet og som en træner. Femke blev internationalt uddannet, er en IAF-certificeret facilitator og er medlem af det hollandske netværk af MGA-fagfolk.

### **Undervisningsformen**

P2 tager udgangspunkt i 70-20-10-princippet, idet 10 % af læringen foregår i en formel ramme, 20 % i en uformel (for eksempel coaching) og 70 % af læringen foregår i praksis – 'by doing'. P2 tager udgangspunkt i de daglige situationer og inddrager dem i praksis i træningen. P2 overfører viden i træningen direkte til deltagernes arbejdsmiljø og gør ting genkendelige og anvendelige i deltagernes arbejde. Dermed maksimeres effekten af træningen.

### **Bemærk**

Undervisningen vil foregå på engelsk. Dog kan den ene underviser (Karsten) dansk, og vi vil fra C2C CC sekretariatets side være behjælpelige med at løse eventuelle sprogudfordringer. Der er således afsat tid til at sikre, at alle har forstået.

En del af undervisningsmaterialet vil forud for kurset blive oversat til dansk.

### **Hvad er Connective Negotiation?**

Formålet med Connective Negotiation er, at interessenter indgår en brugbar aftale, som har større værdi for dem end ingen aftale. Derudover står det for en gennemsigtig proces og et stærkt forhold mellem parterne for eftertiden.

I arbejdet med embedsmænd hos myndigheder er færdigheder og viden om samarbejde og forhandling om bæredygtige resultater meget vigtige. Connective Negotiation som tilgang hjælper dig i dit daglige arbejde, fordi:

- Du er partner i en forhandlings- eller politikudviklingsproces.
- Du ønsker at komme til den bedst tænkelige løsning ved at udnytte viden og kreativitet hos alle involverede parter.
- Du ønsker et implementerbart resultat af processen.
- Du ønsker at opbygge et bedre og bæredygtigt forhold til øvrige involverede interessenter, også på lang sigt.
- Du ønsker at komme til bedre beslutninger, også i din egen organisation.

### **Ansvarsfraskrivelse**

Indholdet af nærværende rapport er alene udtryk for forfatterens eller projektets opfattelse. CINEA eller EU kan ikke drages til ansvar for indholdet.









**DAY 1**  
**TRAINING CONNECTIVE NEGOTIATION**

**WELCOME!**

# Karsten Schipperheijn



Program and stakeholder manager

Reviewer of climate adaptation related projects

Co-owner of company P2 Strategy – Realization – Development; 75 people

Multi stakeholder projects, such as Dutch National Parks, the Waddensea, Room for the River Waal Nijmegen

Half Danish, ancestors Lemvig, Staby, Randers and Bramming



# Femke Vergeest



- Process manager, Connective Negotiation and trainer
- Biologist, nature education and conservation and people
- Multi stakeholder processes: water, nature, agriculture, recreation, (local) governments, NGO's, companies, inhabitants, local groups
- Examples: Sweet Water Agreement Holland, citizens initiative for village park/sports/water storage, Marine Protected Areas Azores
- Family, Rugvin Foundation, Earth Education





# GROUNDRULES OR GUIDING PRINCIPLES

- > What will be ours?
- > How would we like to work together?

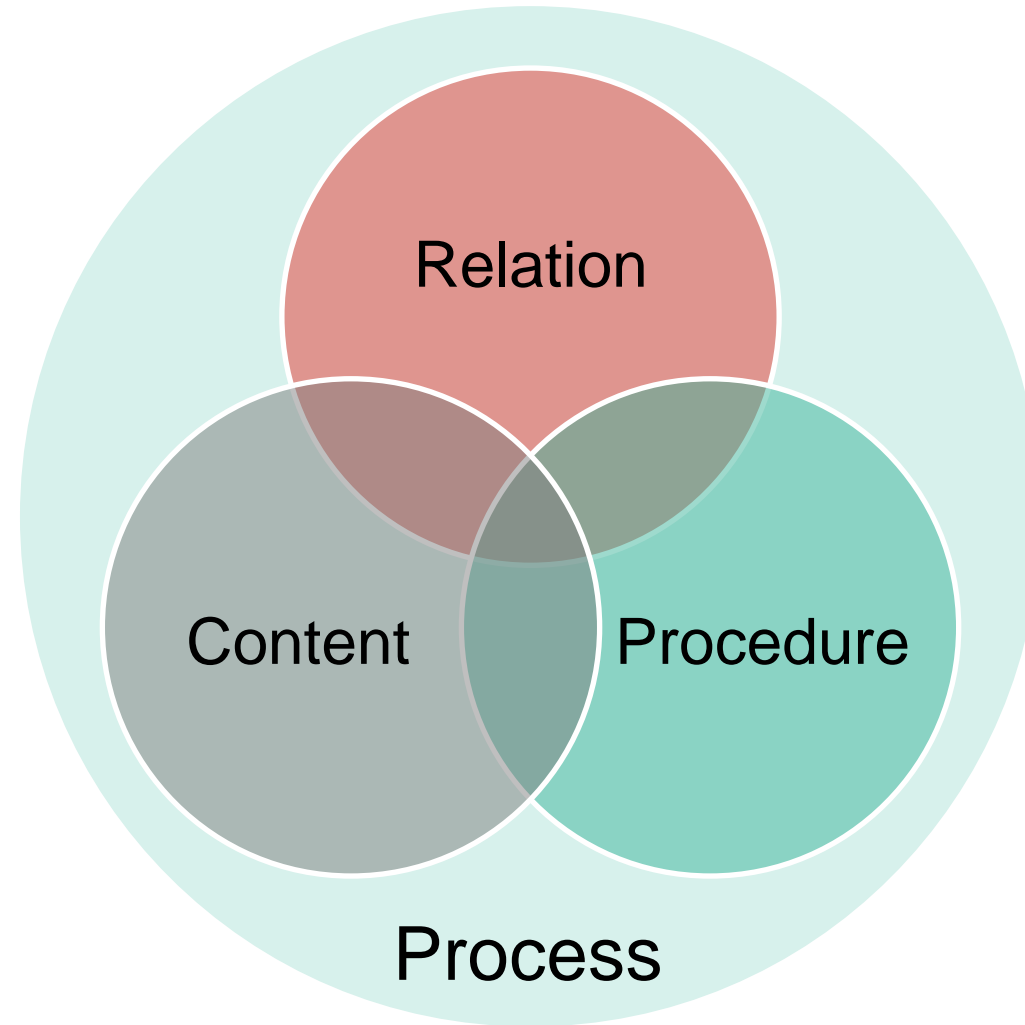


# WHY GUIDING PRINCIPLES?

- > Emphasizes group responsibility
- > Relation builds on trust
- > Supports dialogue
- > Something to fall back on during the process
- > Entails values of the MGA
- > Not directly content focussed
- > A first mutual success!



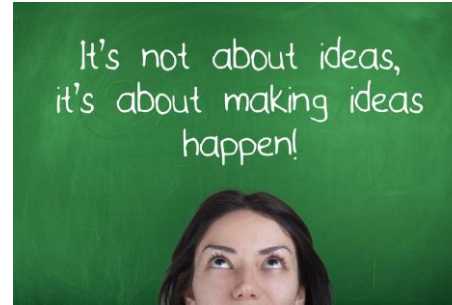
# FOUR DOMAINS IN EVERY NEGOTIATION



# LEARNING AND COMPETENCES



**problem analysis**



**initiative**



**creativity**



**sensitivity**



**listen**



**communication**



**CONNECTIVE NEGOTIATION**

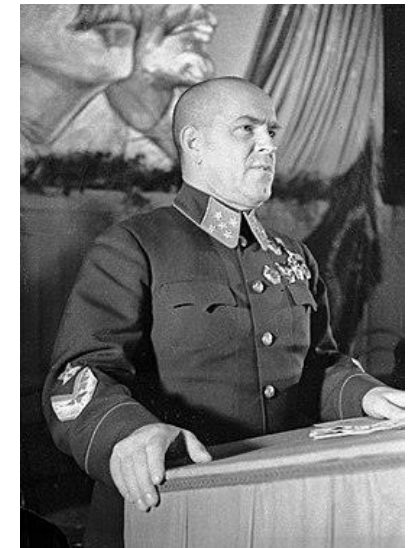
# **A DIFFERENT APPROACH**





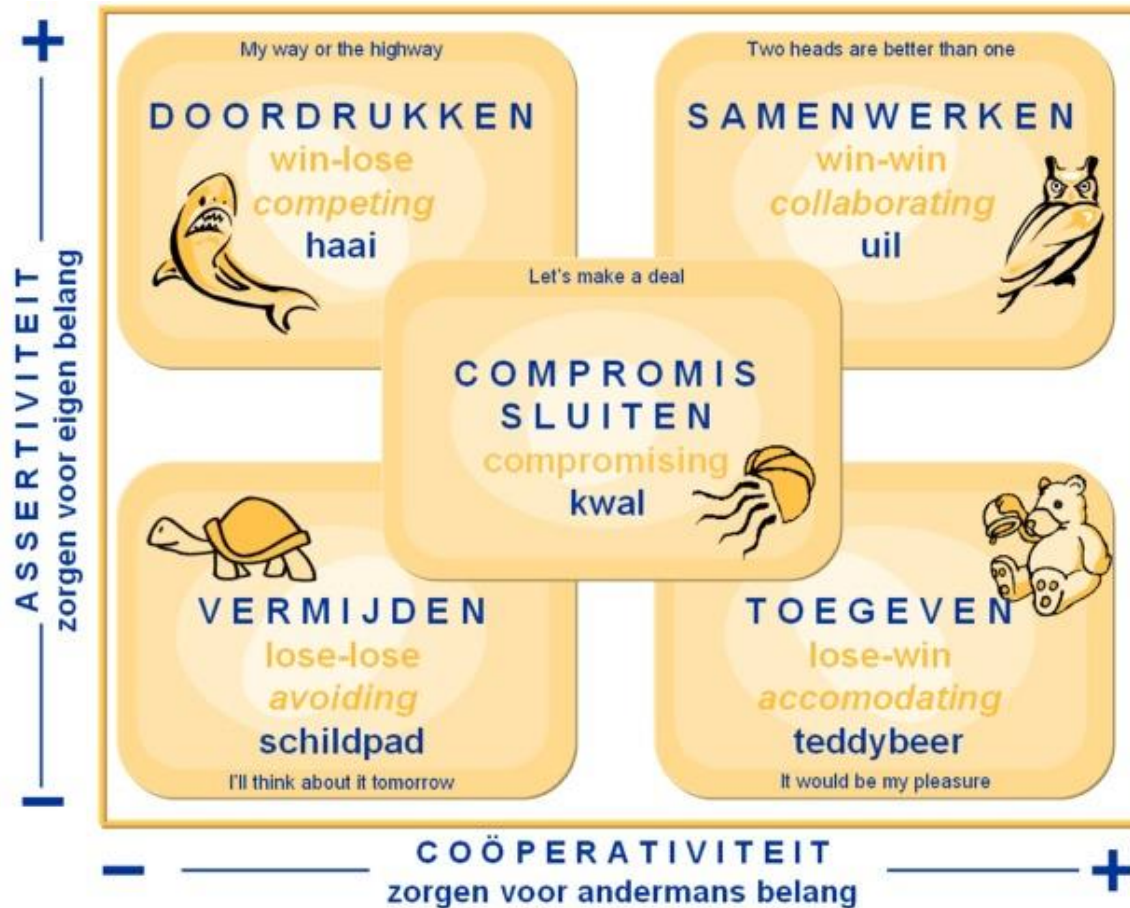
# NEGOTIATIONS ARE EVERYWHERE

- > In daily life with friends, family, neighbours
- > In all markets
- > In politics and governance
- > In workplaces and organizations with bosses, co-workers and other departments
- > Between businesses
- > In law (suits)
- > In all of our projects



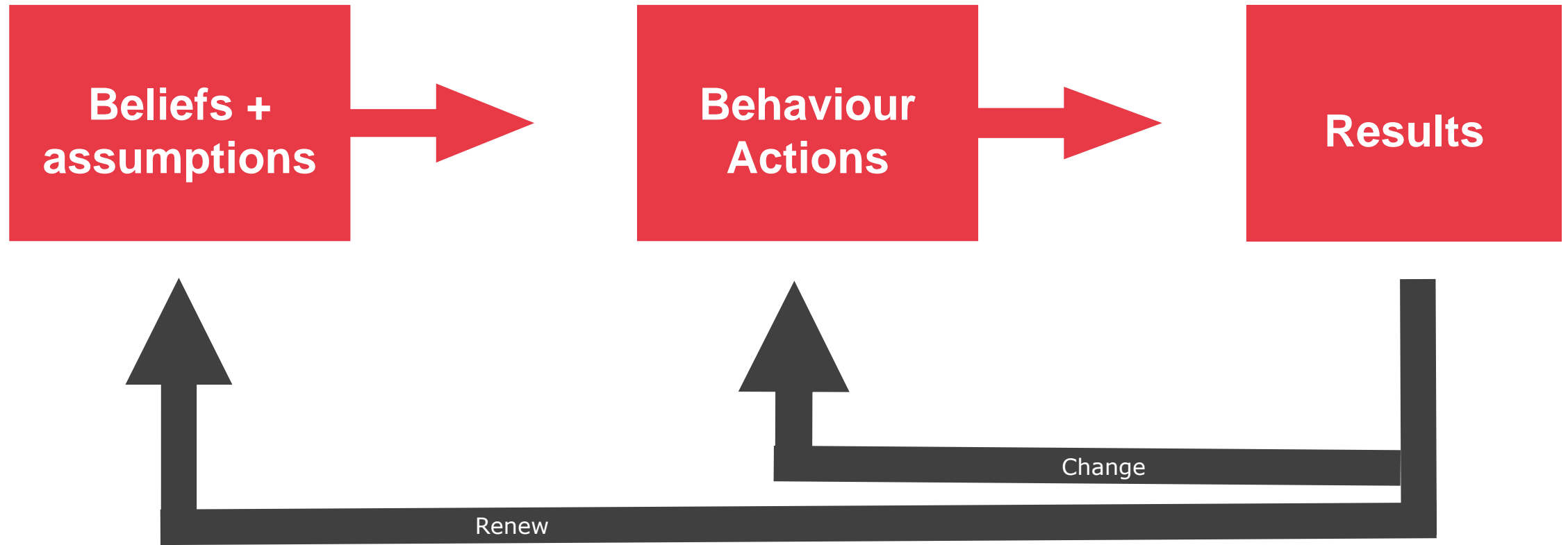


# STRATEGIES FOR NEGOTIATIONS



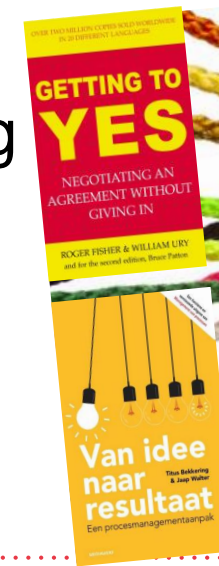
Bron: Thomas-Kilmann model, 123 management

# THE STARTING POINT: RENEW TO A WIN-WIN



# THE MUTUAL GAINS APPROACH

- > MIT and Harvard: >>20.000 negotiations analyzed
- > Working towards added value for all parties
- > Applied worldwide
- > Demands a different way of thinking and working



# CONNECTIVE NEGOTIATION: MGA AND PROCESS MANAGEMENT



# THE DIFFERENCES

## Conventional negotiations

- > Use differences in power amongst the parties
- > Focus on positions
- > Win - Lose
- > Focus on distribution, scarcity
- > Hold back information
- > Compromise

## MGA

- > Work on solutions together
- > Focus on interests
- > Win – win
- > Create value
- > Share information
- > Consensus building



# WHY WOULD YOU USE THIS APPROACH?



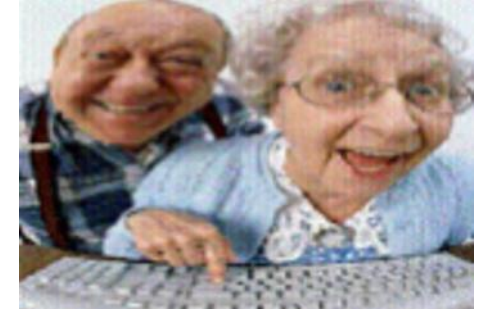
## **CHANGING SOCIETY**

Horizontal collaboration



## **USE OF KNOWLEDGE AND CREATIVITY**

From- and for everyone



## **ASSERTIVE CITIZENS**

Participating government



## **CHANGING POSITION GOVERNMENT**

New laws (like omgevingswet)



## **TRANSPARENCY OF DECISION-MAKING**



## **A LOT OF INFORMATION WITHOUT CONNECTION**



## DEFINITION

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

# WHEN DO YOU USE IT?

When all participants really want to come to an agreement

## **Yes!**

- Holiday location with family
- Contract for a new job
- When parties want to agree on a new approach for an agricultural area

## **No!**

- Pay for a product in the supermarket
- Crisis situation that asks for direct action
- When a party has the power and is willing to use it to enforce a solution



# ISSUES: WHAT A NEGOTIATION IS ABOUT

- > Issues are:
  - Problems that ask for a solution
  - With different interests from different stakeholders
  - With different views on solutions
  - About content
- > Issues may shift during the process



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MUTUAL GAINS APPROACH

# ESSENCES





# 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)

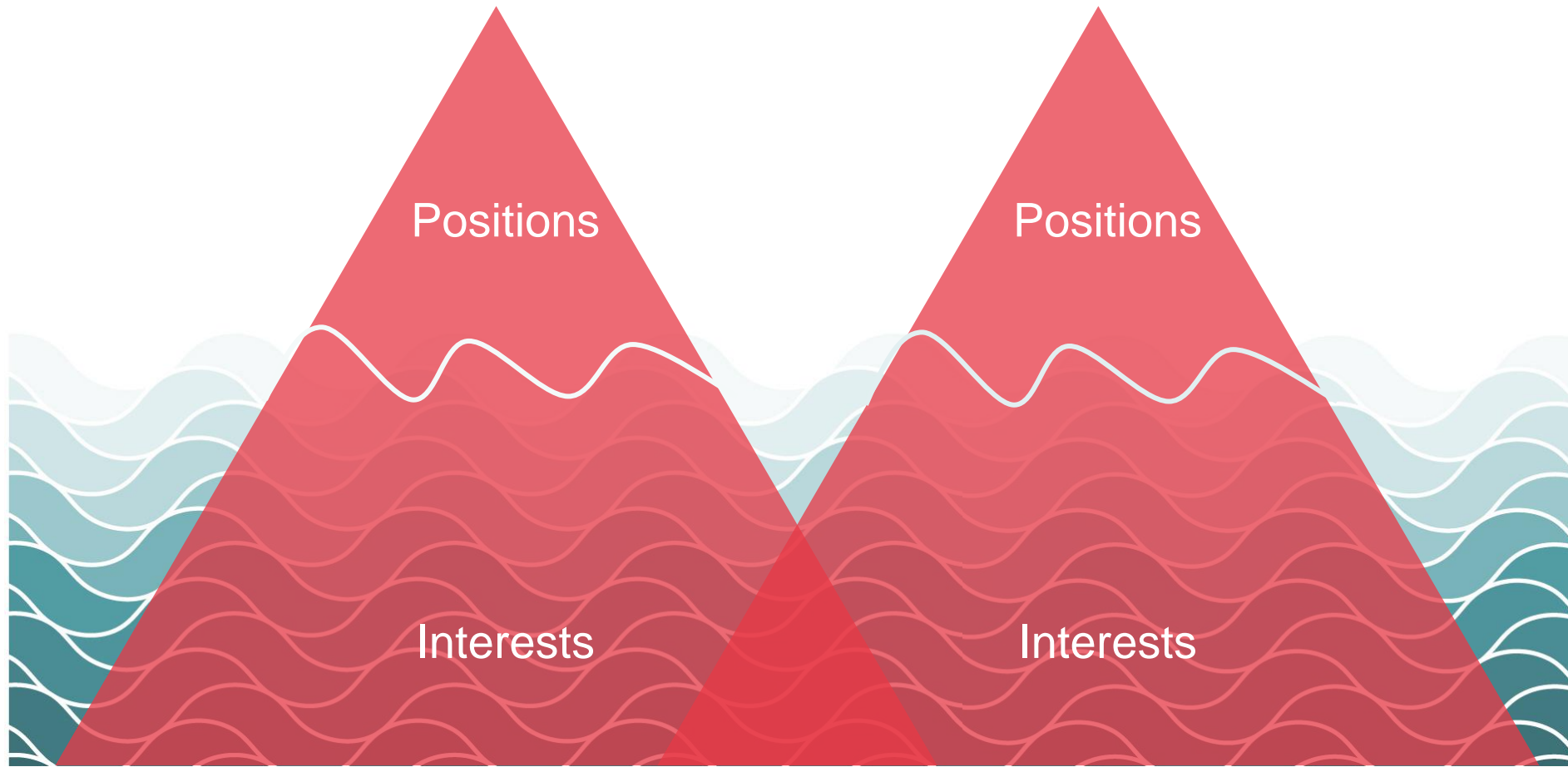


4. Work on sustainable relationships, building trust



5. Joint fact finding

# ESSENCE 1: INTERESTS INSTEAD OF POSITIONS



# HELPFUL QUESTIONS TO EXPLORE INTERESTS

- > Why is that important to you?
- > Are there other things of your concern?
- > Would we be moving in the right direction if...
- > What would make this agreement a great agreement for you?
- > Can you tell me more about this?



**FOCUS ON INTEREST, NOT  
POSITIONS**



# ESSENCE 2: ENLARGE THE 'PIE'

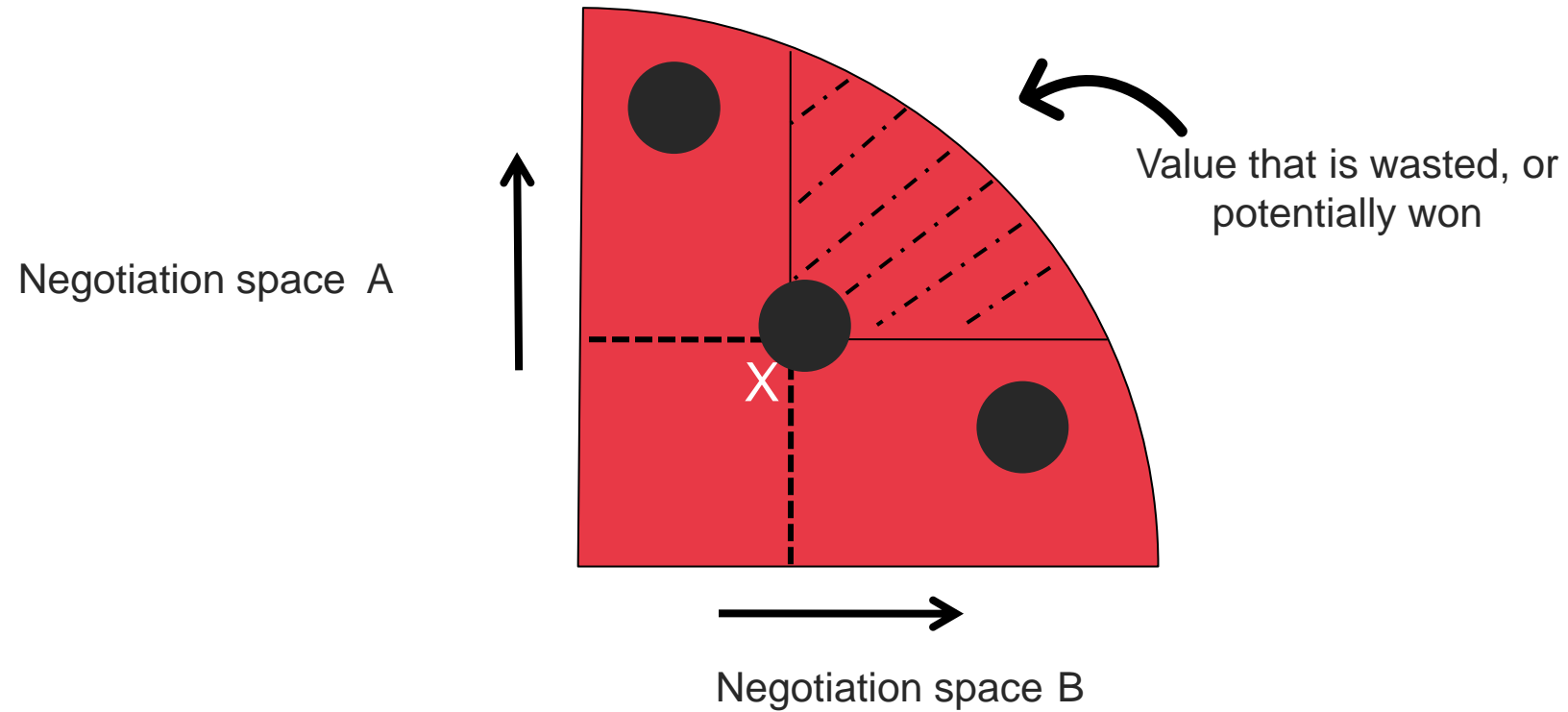
- > Create as much added value as possible
- > Search for creative solutions
- > A larger pie is easier to distribute



*Enlarge the 'pie'*

# THE PIE CAN BE BIGGER

Some options are better



*The pie can be bigger*



# THE PIE CAN BE BIGGER..... BUT HOW?

- > Make a long list of options, disregard nothing yet
- > Research / develop hybrid solutions
- > Use imaginative work forms
- > Think before you judge
- > Add issues if feasible



# ESSENCE 3: BATNA

## WHAT CAN YOU DO WITHOUT AN AGREEMENT?

- > Best Alternative to a Negotiated Agreement
- > When am I better off without an agreement?
- > Or: when we don't come to an agreement, what do I have?
- > Important to know your own BATNA - and theirs

**What do I have  
when we don't  
come to an  
agreement?**



# DIFFERENCE BETWEEN ALTERNATIVE AND SOLUTION

> An **alternative** lies outside the negotiation table

> A **solution** is AT the negotiation table, and you find it together





# HOW TO DEFINE YOUR BATNA?

- > List all alternatives you have in case the parties don't come to an agreement
- > Value them
- > The best alternative is your 'Plan B'
- > Analyze their BATNA
- > Improve your own BATNA







## BATNA PRACTICE

- > You are in a situation with four people together in one house
- > Determine together the possible alternatives that you have if you do NOT come to an agreement with the other party in this situation
- > You are one party in this exercise, which allows you to work out the alternatives and the BATNA

***PLEASE NOTE:*** the assignment is NOT to find possible options for an agreement, but really first think about your plan B, your BATNA. So something you can ONLY do without the other negotiating partner



# ESSENCE 4: JOINT FACT FINDING

- > You share information that you need for a final decision with all parties
- > You develop knowledge together
- > Joint fact finding may be required throughout the process: from exchanging existing reports during preparation to examining possible options and the feasibility of various options later in the process
- > Information and knowledge are unambiguously written down





# JOINT FACT FINDING

Agree on:

- > What do you know?
- > What do you not know?
- > What do you need to know? (And why?)

Think forward:

- > What will you do with the obtained information?



# STEPS IN JOINT FACT FINDING

- A. Preparation: Propose a joint fact finding process and include all parties in that proposal
  - B. Determine scope
  - C. Define the most appropriate analysis / research method
  - D. Perform the investigation / analysis
  - E. Evaluate the results
  - F. Communicate the results of the joint fact finding
- 

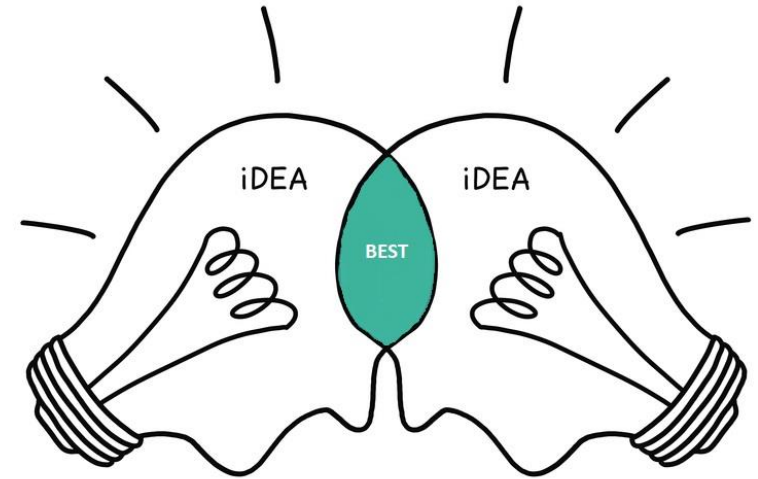


# JOINT FACT FINDING

**DARE TO ASK AND ASK FURTHER**

**The crux is in:**

**‘Joint’ fact finding**





# ESSENCE 5: BUILDING SUSTAINABLE RELATIONSHIPS

There are six key pillars to build on this essence:

- > Listen
- > Care
- > Accept
- > Respect
- > Trust
- > And..... smile





## BEHAVIOUR TO BUILD TRUST

- > Talk straight
- > Show respect
- > Create transparency
- > Repair errors
- > Show loyalty
- > Deliver results
- > Do it better
- > Recognize reality
- > Clarify expectations
- > Be approachable
- > Listen first
- > Keep appointments
- > Provide trust



# 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





## PROGRAMME DAY 2

### MORNING

- > Simulation: preparing
- > Simulation: Practicing knowledge and skills
- > Debriefing

### AFTERNOON

- > Lessons learned simulation
- > Steps of MGA
- > Personal lessons and building bridges
- > Excursion



# Our guiding principles

- > Today is about learning by doing
- > Anything to add?

## Groundrules for guiding principles connective negotiation training 9-11 september 2020

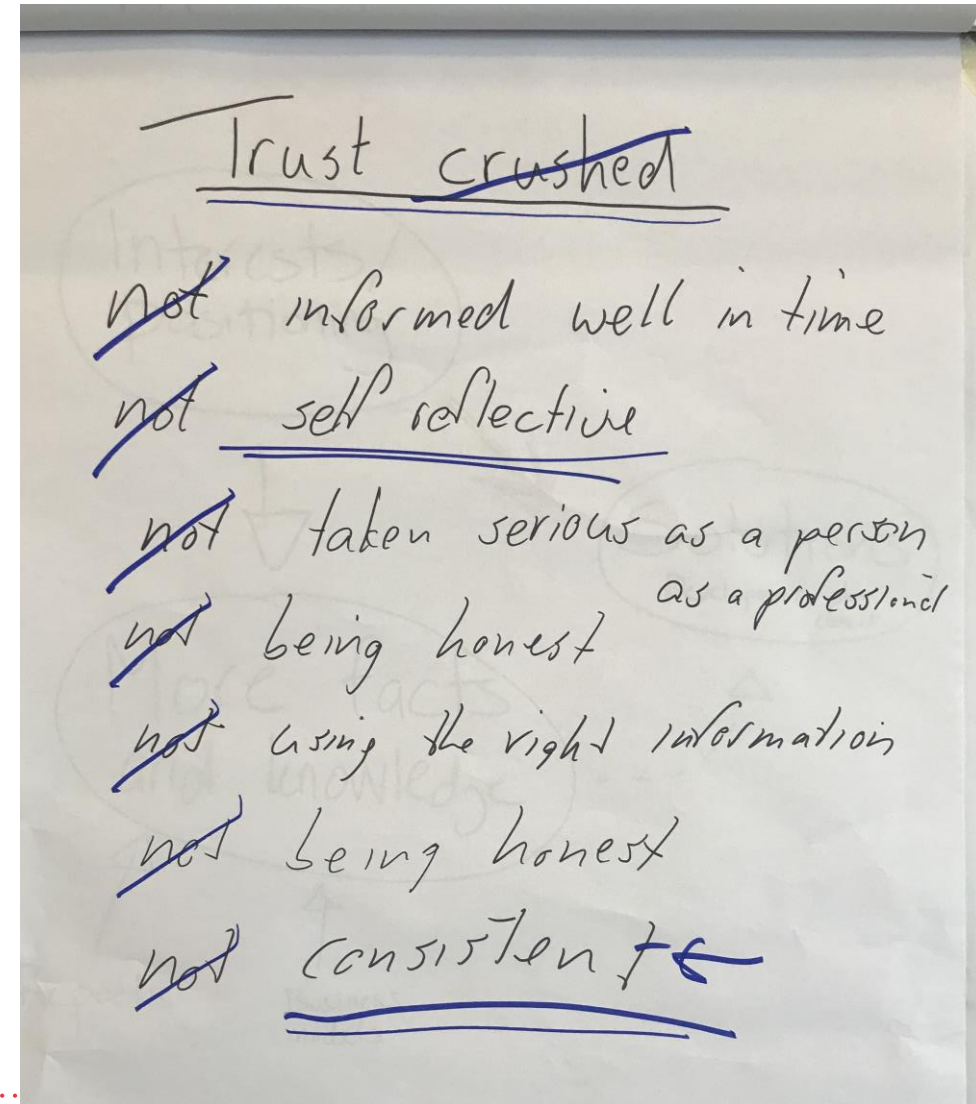
- \* When wanting silence to start again, we give a signal and everybody raises their hand
- \* We respect each other by listening actively
- \* We have more short breaks during the day for networking, coffee and toilet-visits
- \* We stick to the programme and times, but change if we need/want to
- \* Cosy atmosphere: no interruptions, jokes can be made
- \* Be aware of making implementation afterwards
- \* Be aware of your own role and take responsibility for the process
- \* We are present
- \* We are open-minded and curious
- \* We are summarizing and working towards the goal
- \* We stand up when we speak
- \* Ask questions! There are no stupid ones
- \* We are also here to network: be active in this (if we switch tables, clean the tables)
- \* What happens in Lemvig, stays in Lemvig

# Building trust



When was your trust in some one or an organisation crushed?

Describe the situation and the behaviour of the person that crushed your trust.





# SIMULATION GIOSA

- > General instruction and card
- > Information about your own role; confidential!
- > Once you put your badge with name on, you are immediately in the role
- > Don't invent things that are not in the instruction, no acting
- > You just 'be' yourself in this role
- > You play in groups: NO contact between the groups

## **KARSTEN AND FEMKE ARE OBSERVERS**

Watch and listen, do not monitor time, only observe, will give feedback to the groups afterwards, you will also do part of your own assessment afterwards



# Lessons learned

Same role meeting: all people who had the same role in the different groups join together

What lessons / insights have you learned about connective negotiation?

What were your interests and what was your BATNA?

Do you have any questions about the essences and/or steps?

**Write these clearly on a flip chart paper!**







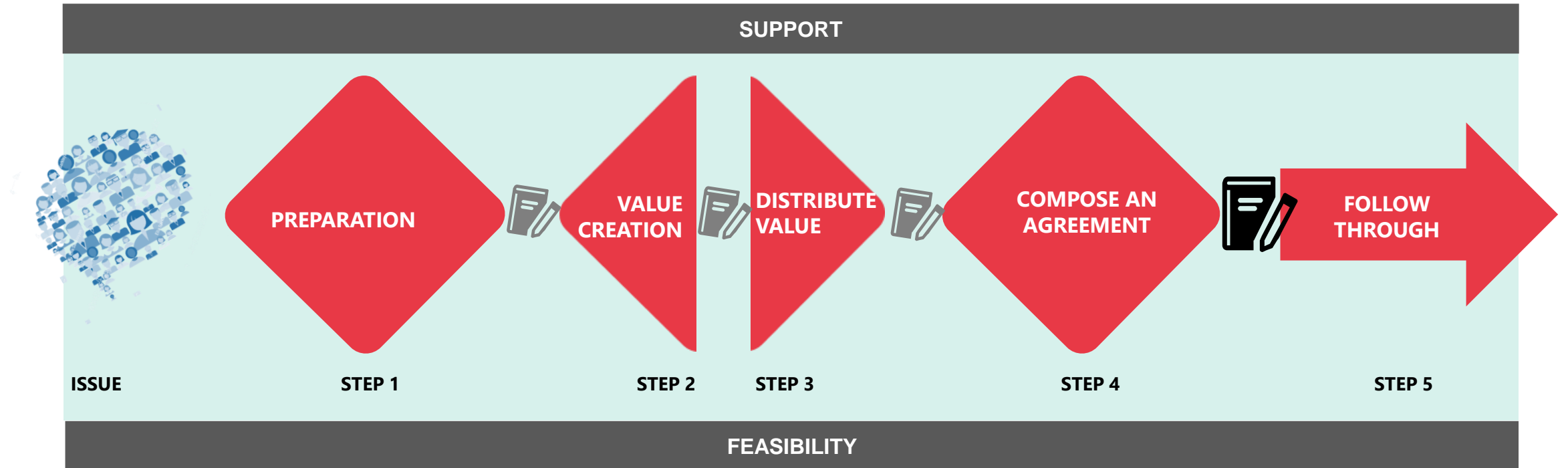
MGA

# THE APPROACH IN 5 STEPS

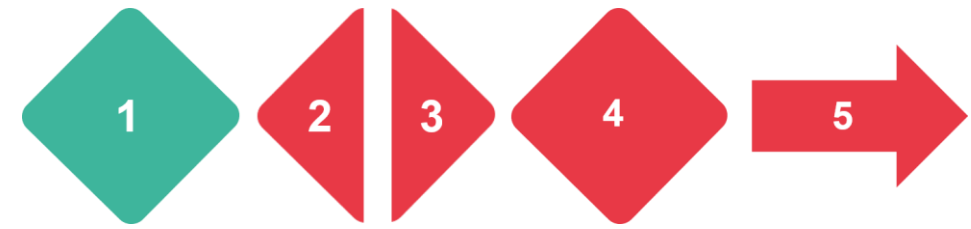
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# Approach in 5 steps



# STEP 1: PREPARE



Provide a mandate and a team

Set groundrules/ guiding principles

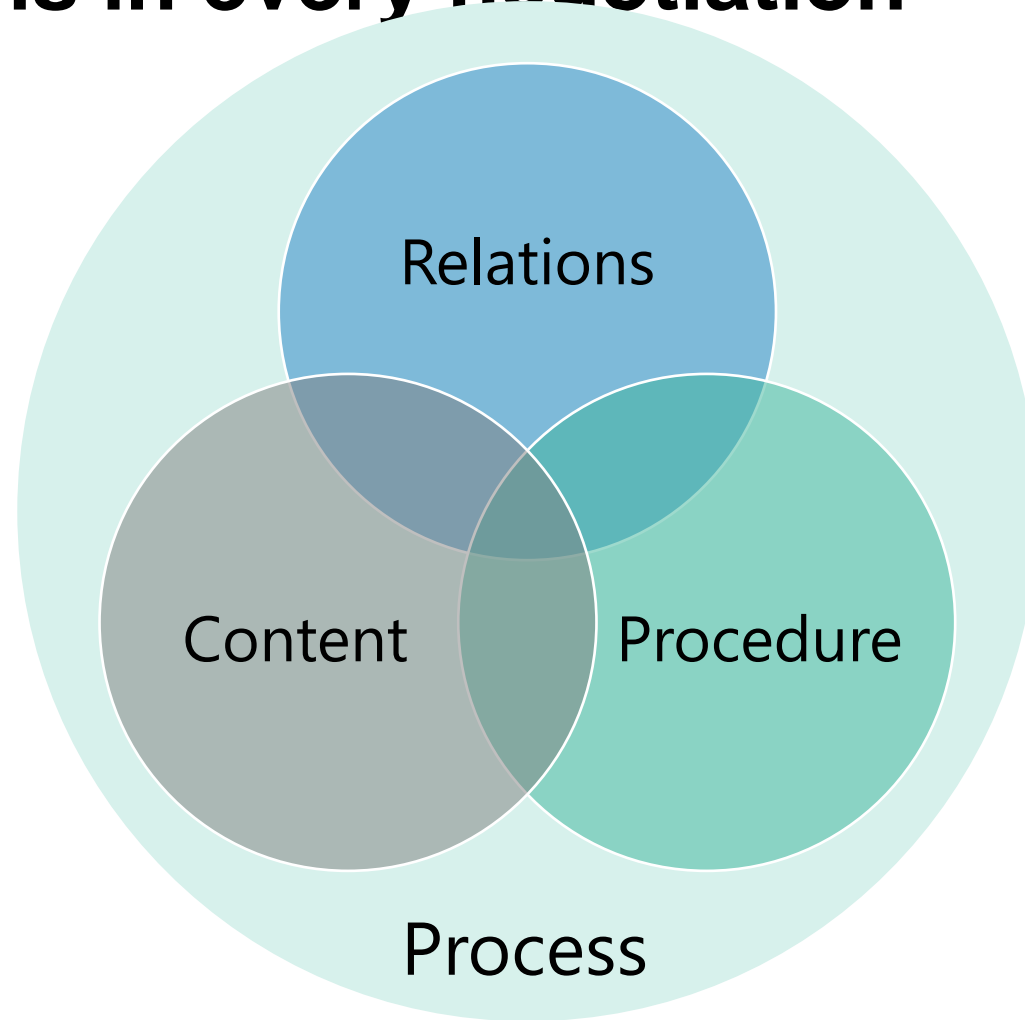
Know your own interests and issues, and  
those of your organization

What is your Best Alternative (BATNA)?

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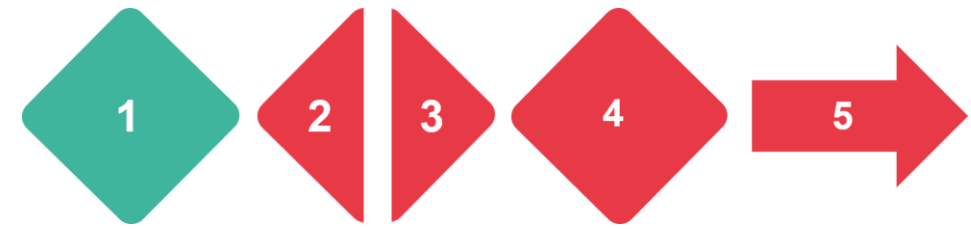
- > Do all stakeholders come to the table?
  - Do you know the other stakeholders?
  - Do you know their interests too?
  - And their BATNA?
  - And their mandates?
  
- > In the meantime, come up with proposals for mutual benefits

# Four domains in every negotiation



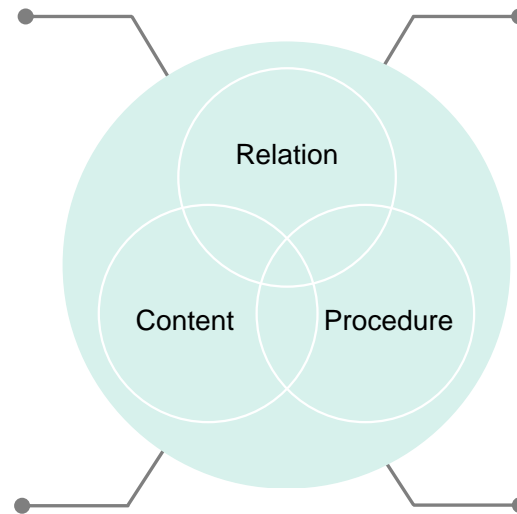


# AT THE END OF THE FIRST STEP...



## 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

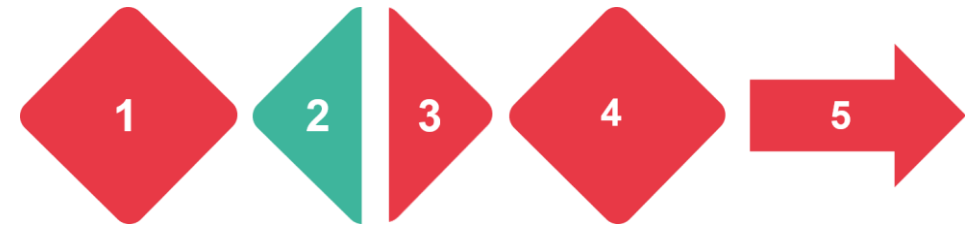
- > Are the issues known?
- > Are the interests shared?
- > Has the assessment been determined?

## 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

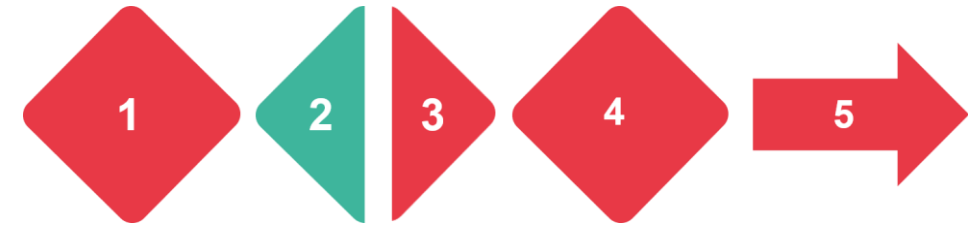
- Use creative methods
- How can you "make the pie bigger"?
- Suspend criticism
- Think without obligation

Continue to investigate the interests of all parties

What knowledge / information do you need to come up with options?

Work on objective criteria

# 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



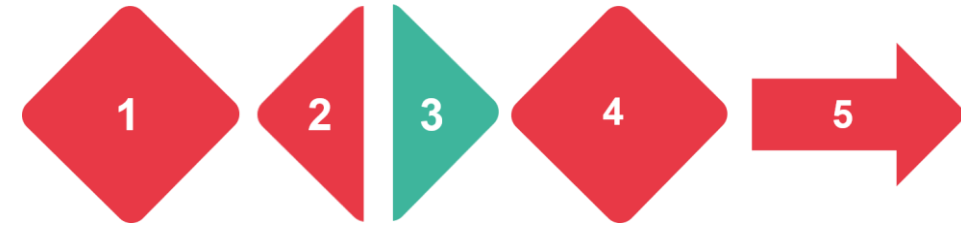
For each issue, at least one option best fits the interests and objective criteria

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



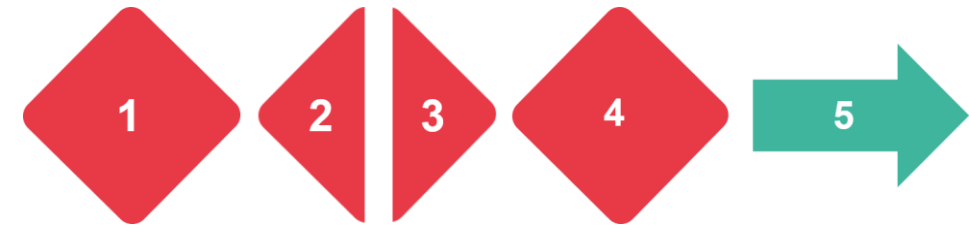
Design agreements that almost ‘execute themselves’

- Work with one text
- Make it easy to meet obligations
- Agreements about ‘what if ...’ in step 5
- Agreements about implementation (step 5), eg implementation, management, control 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



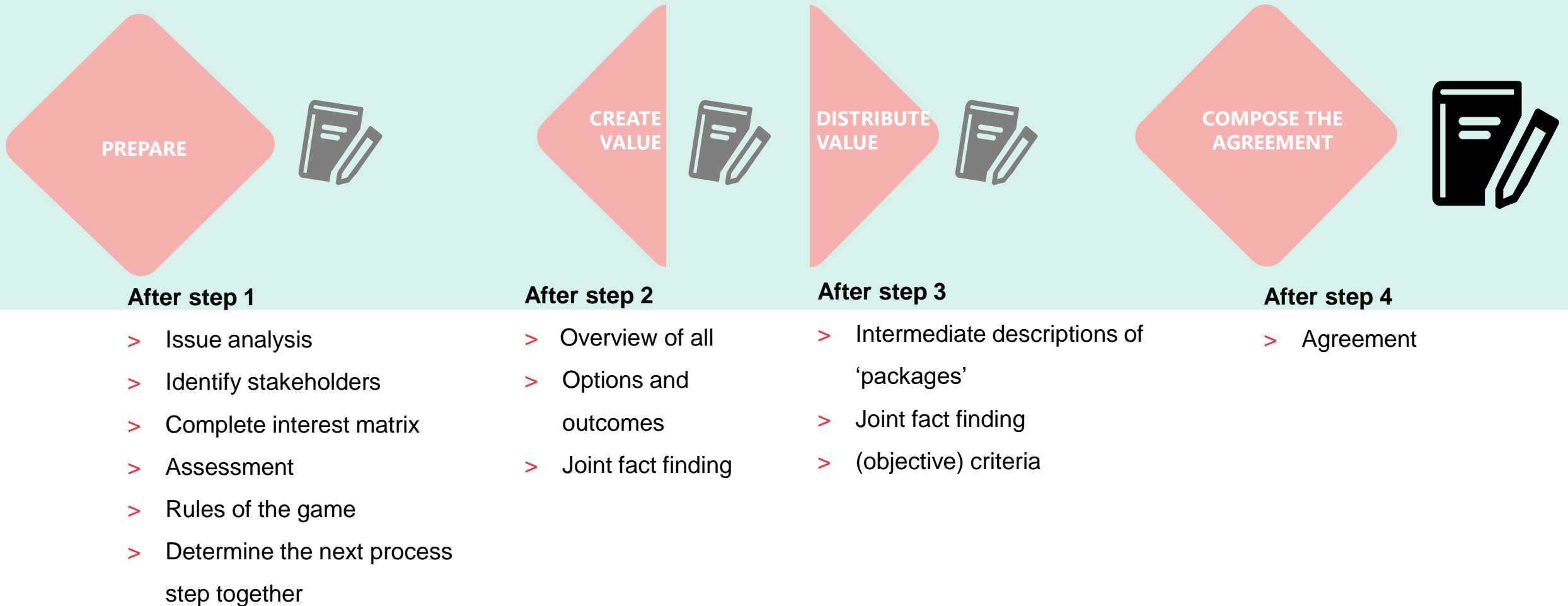
Continue to build trust

There will always be additional decisions and preparatory work

Keep working in the spirit of the agreement

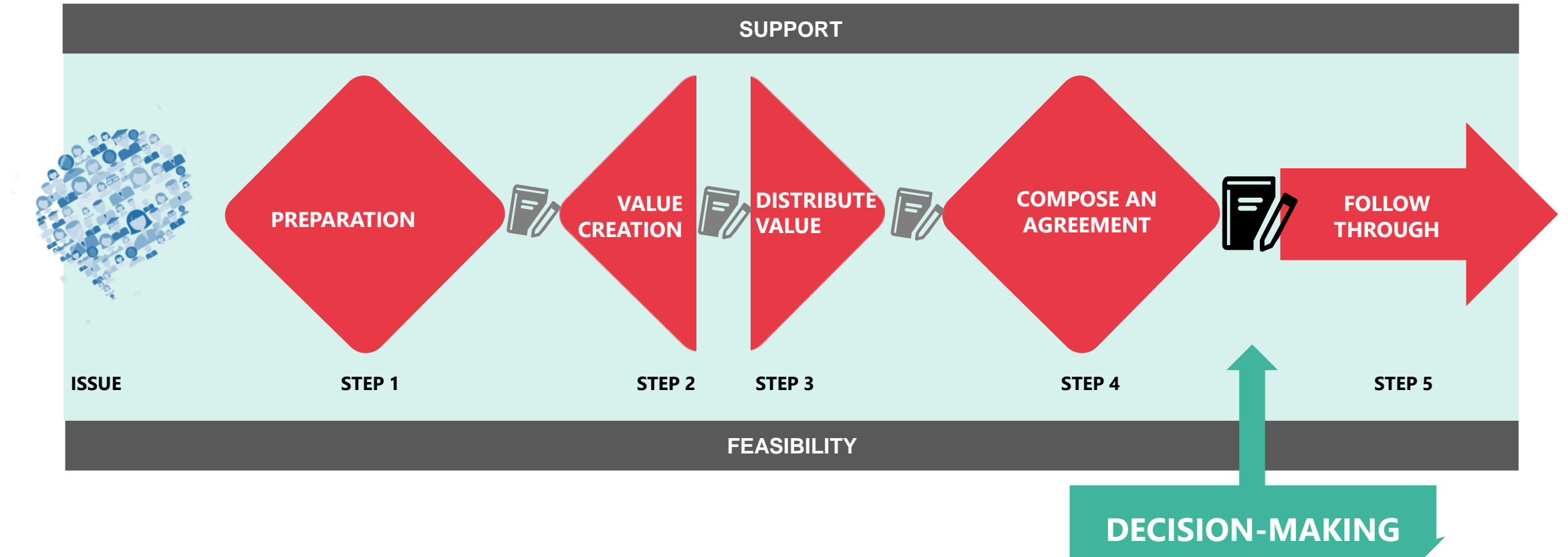
Prevent conflicts / fall back on escalation agreements

# Consolidation in an MGA process





# Decision-making in an MGA process



**DAY 3 – GOOD MORNING!**



# Process management



# Process management

## What is process management?

Management of development of ideas and initiatives

Mostly: multi-party initiatives

## Why process management?

Failure rate of 40% - 70%





## **What are the problems AT the fuzzy front END?**

Moving to a fixed solution too quickly

Lack of proper terminology and tools

No further development of the idea

Network development problems



# Example 1

Connection between two islands:

- Where exactly?
- Who is or are decision makers?
- Who use the connection?
- What solutions could be imagined?
- Other issues?



Many solutions

Bridge

Tunnel

Railway

Motorway

Bicycle on train

New pay system

Cargo ships

Recreation

Birdlife, fish

.....

# Different approaches

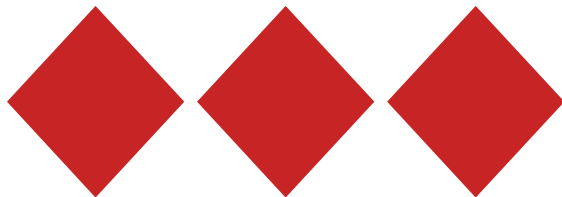
## Process management

Start: an idea or objective

The idea develops

Steering

End: a firm idea, defined deliverable?



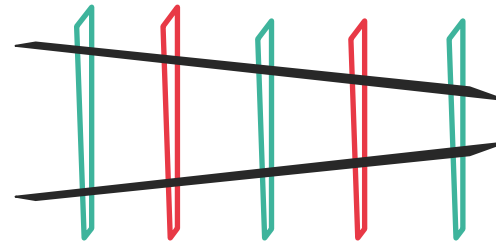
## Project management

Start: a defined deliverable

The deliverable is fixed

Controlling

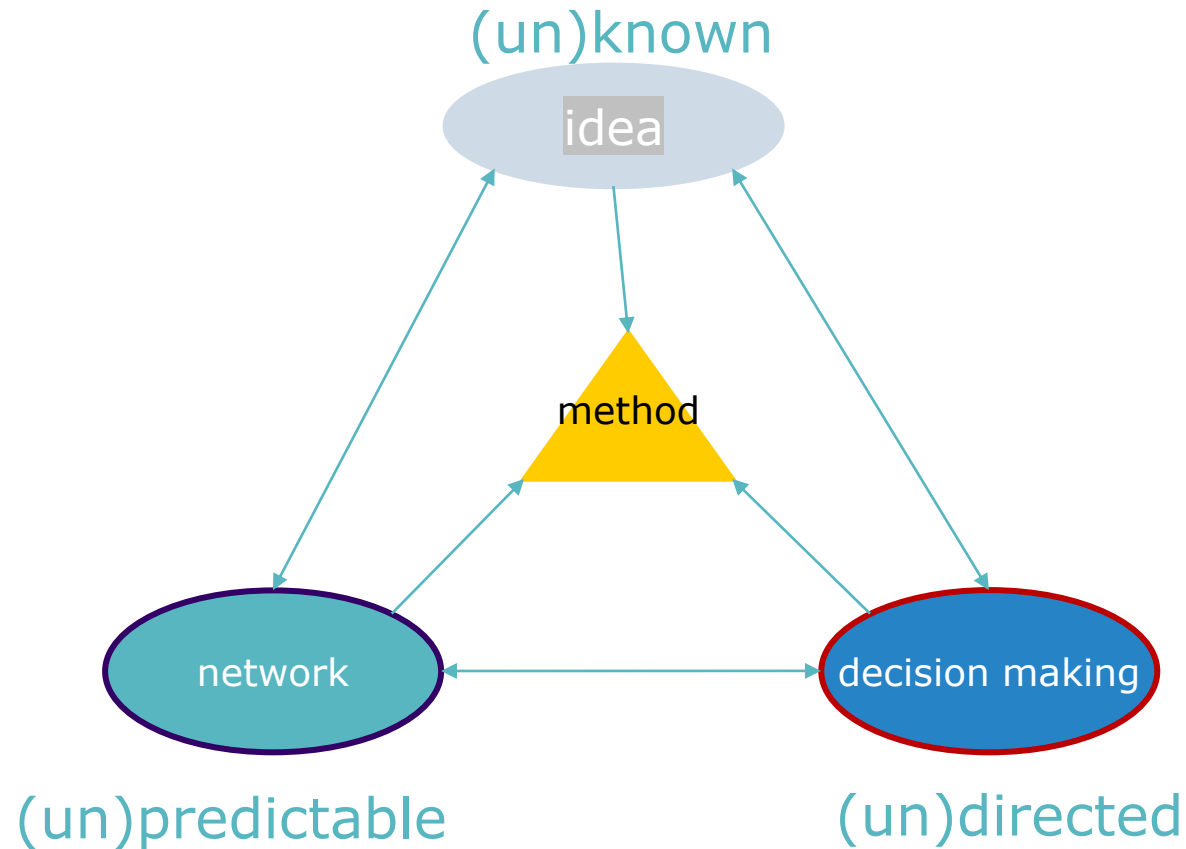
End: achieved deliverable





# Starting

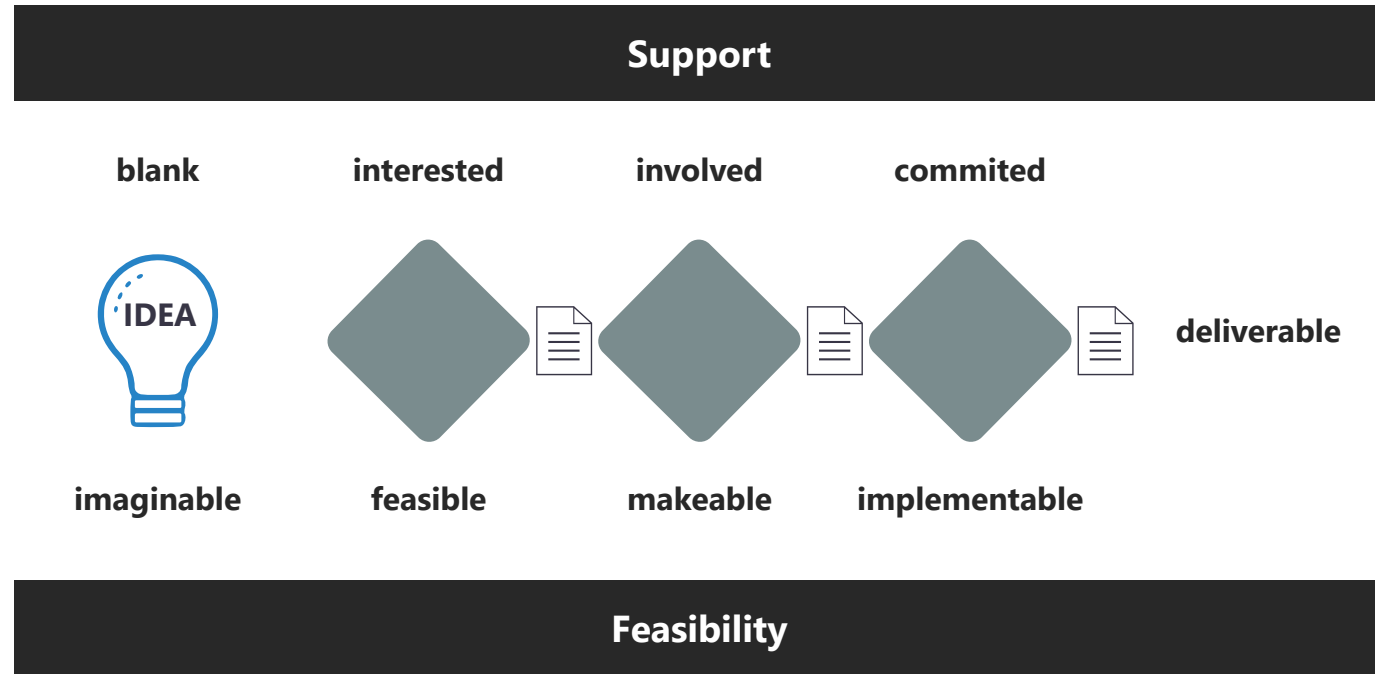
Choose your approach



When two out of three are 'un', than you can best use process management,

otherwise you might use projectmanagement

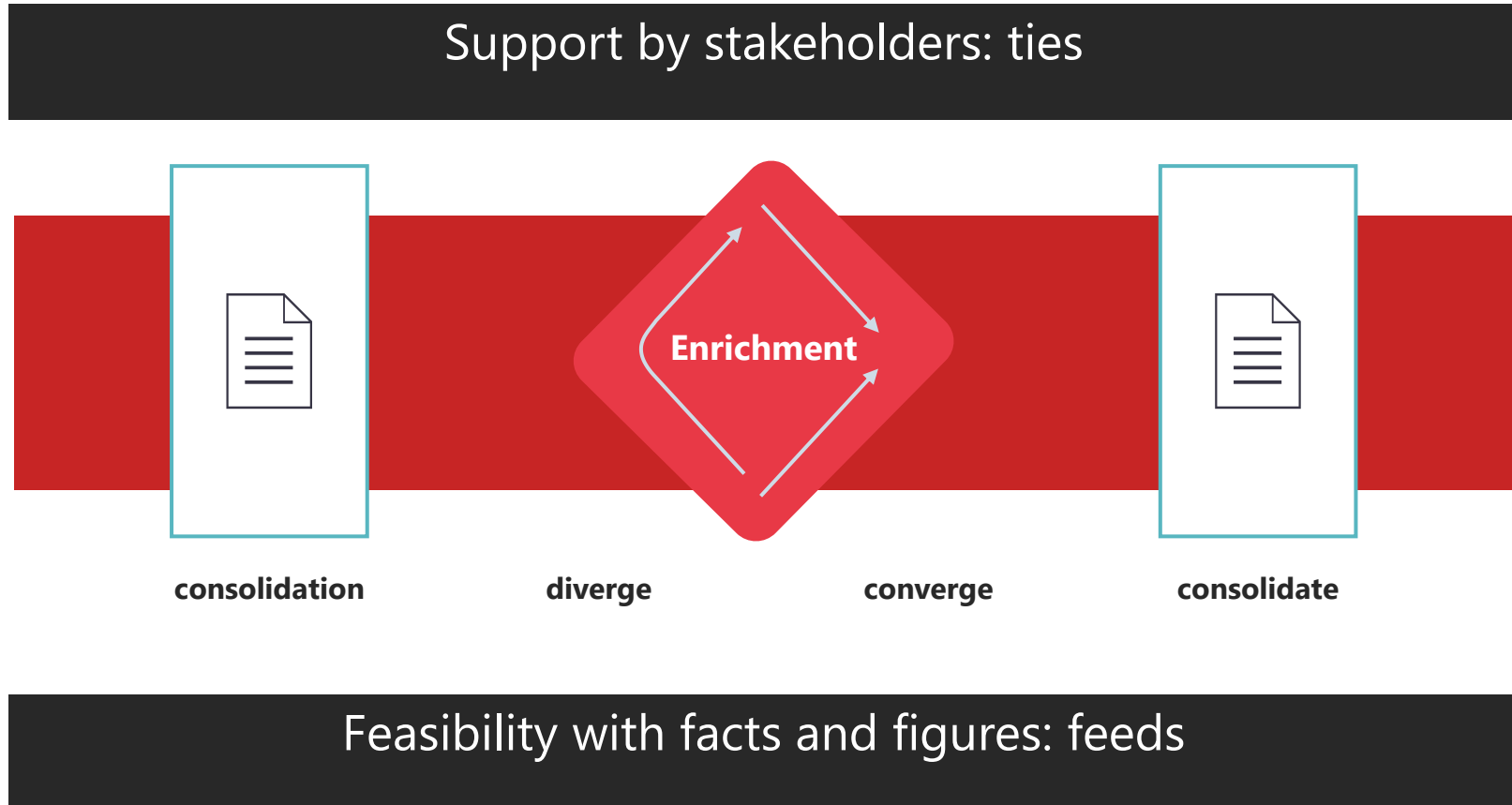
# Process management: steering feasibility and support by stakeholders



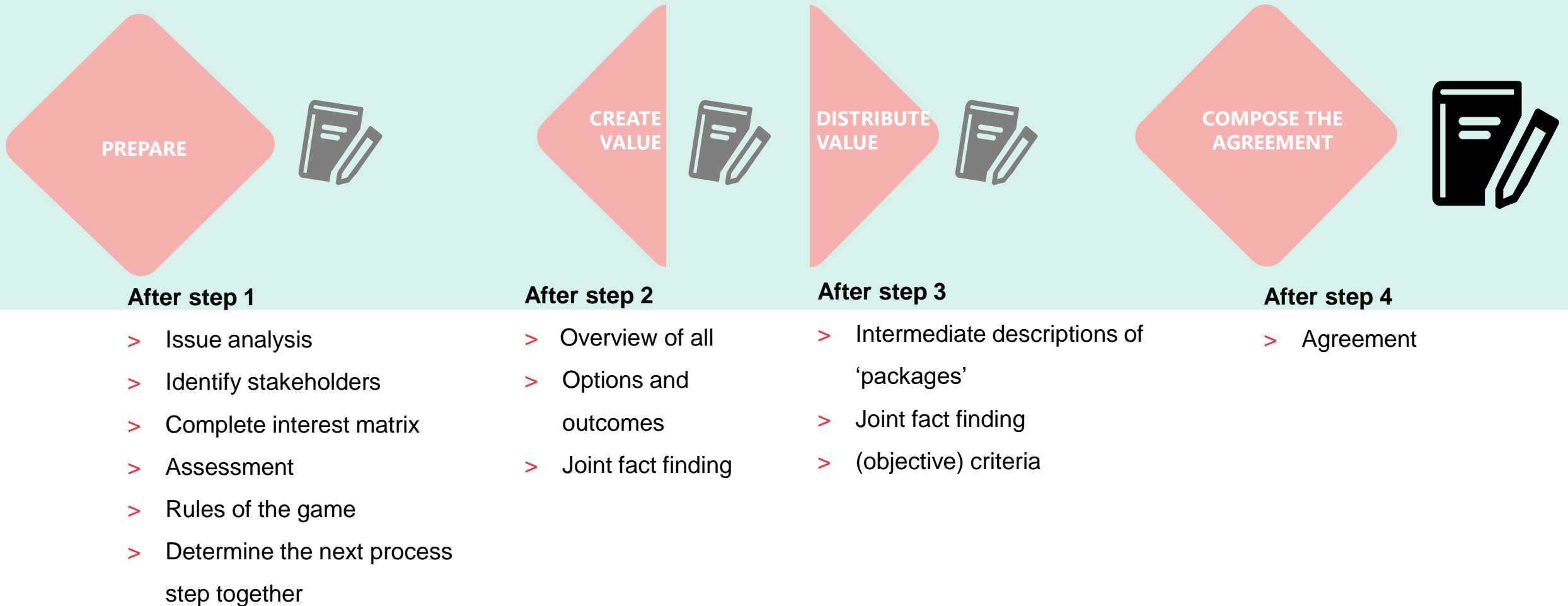
|                     |   |  |  |   |
|---------------------|---|--|--|---|
| MPI- maturity level | Level 1: <i>Individual readiness for starting</i> | Level 2: <i>Collaboration readiness (Idea gates in parties' organizations)</i> | Level 3: <i>Investment readiness (Concept gates in parties' organizations)</i> | Level 4: <i>Delivery readiness (Final gates to routine departments in parties' organizations)</i> |
|---------------------|---|--|--|---|

# Design diverging and converging activities

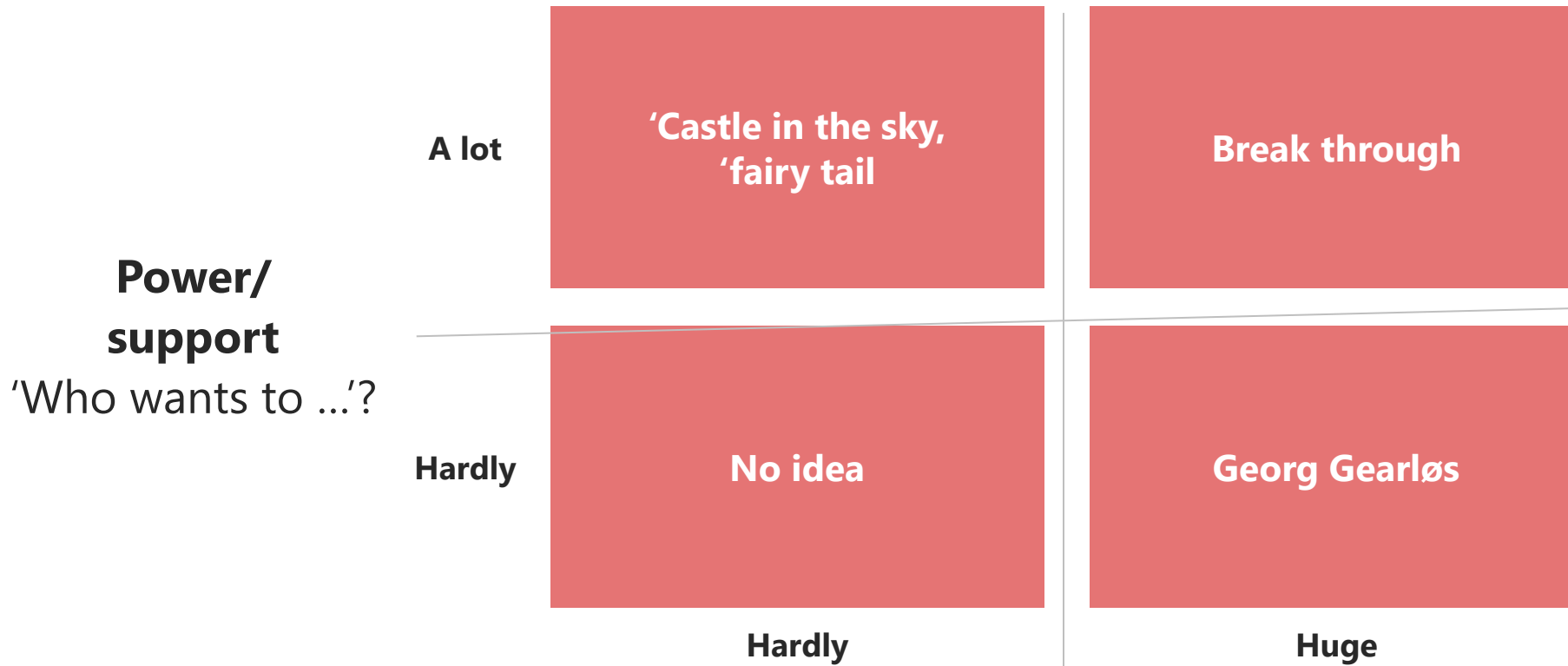
## For the progress you want!



# Consolidation in an MGA process



# Support and feasibility



**Strenght / feasibility:** 'What do we know of

...

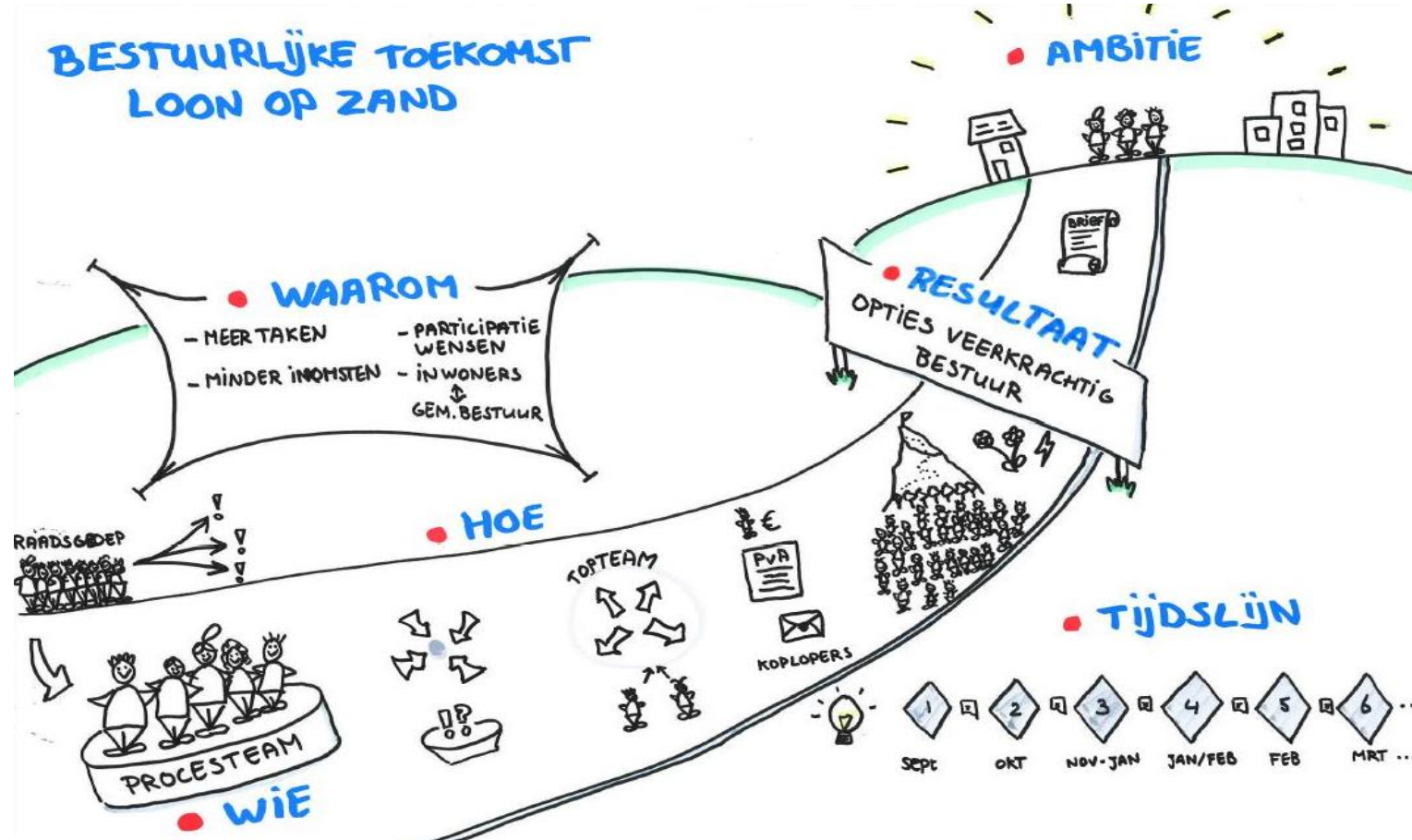


# Directing the inputs: the 8 T's

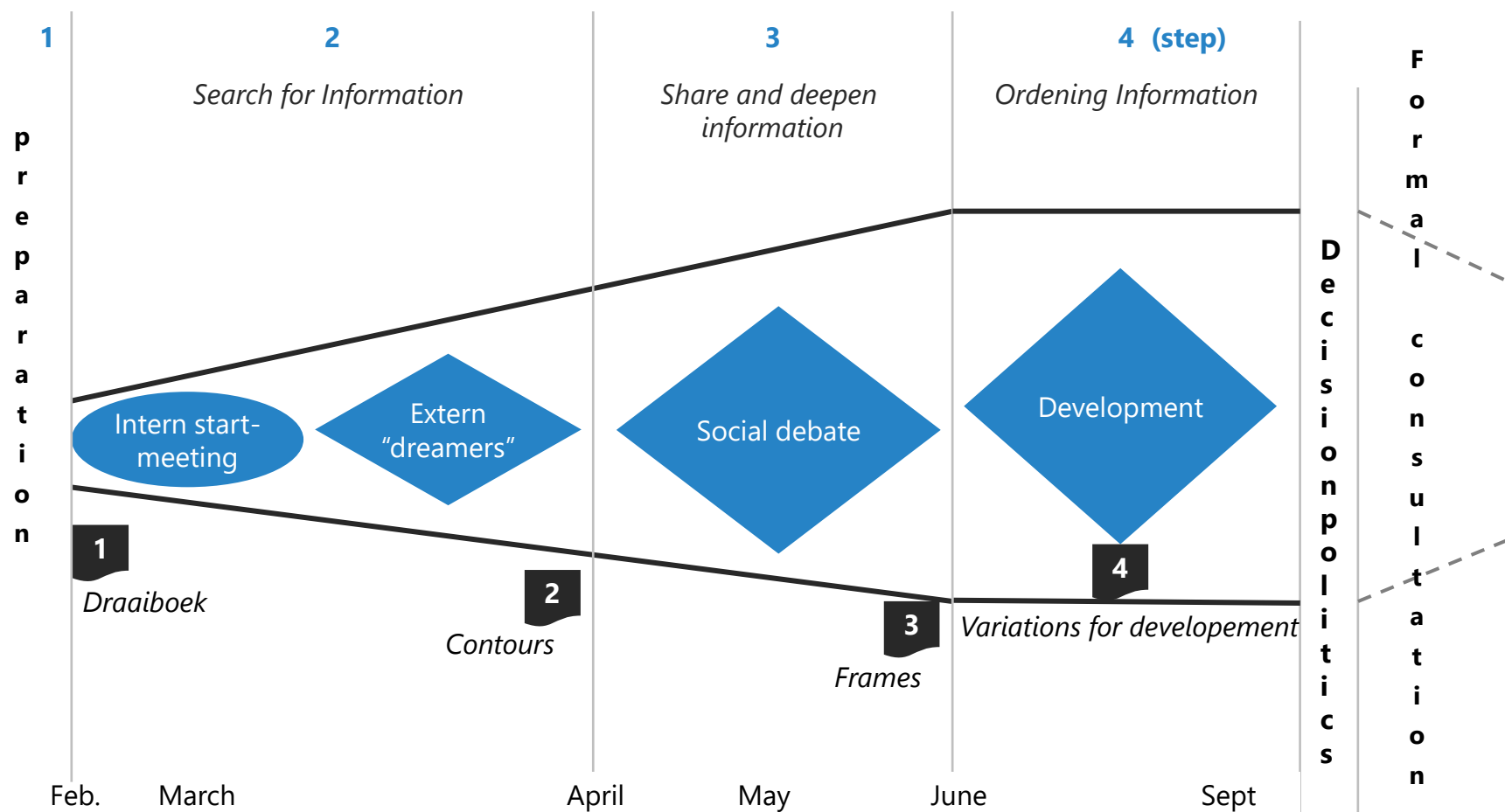
- Theme : choosing the subjects and the order in which you handle them
- Toleration : tolerating certain people or functions
- Tempo : setting the speed for the process
- Timing : choosing the right moment
- Toll: : dealing with the positive and negative consequences for those involved
- Theatre : setting the stage
- Tone : setting the tone of the communication
- Transparancy : be clear and share information when possible balanced with trust
  
- (Trend) : use the dominating opinions in your process and bring them forward



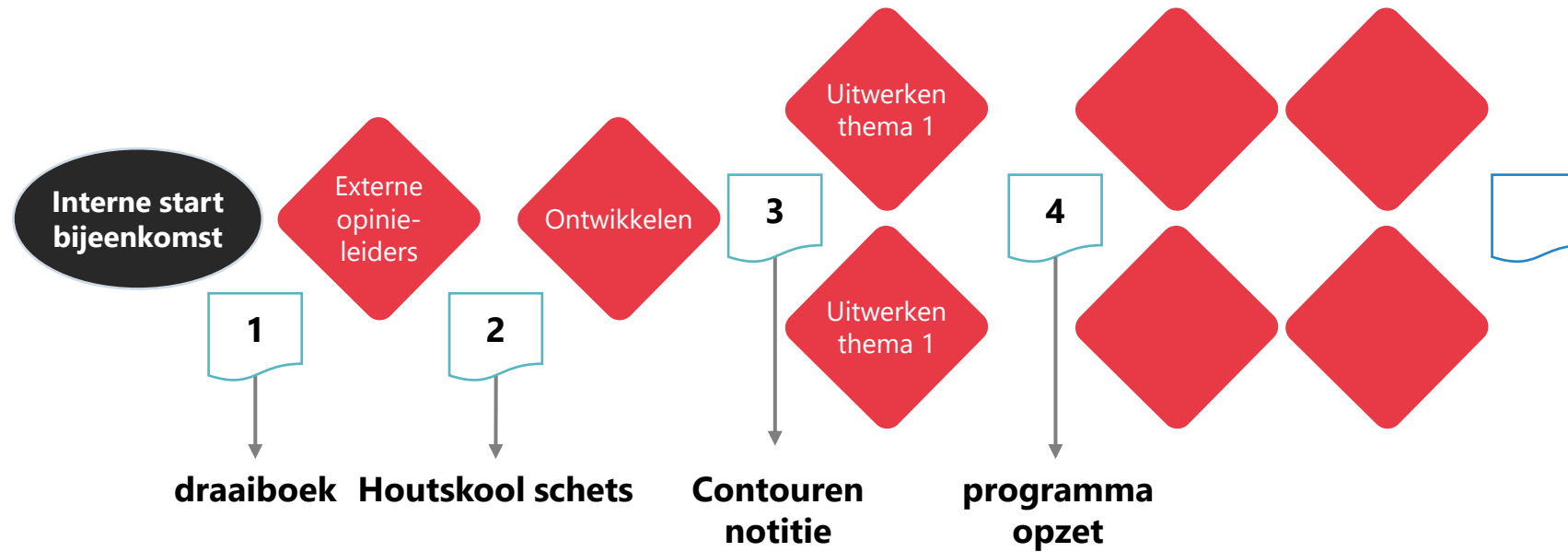
## Directing 2: examples of process design



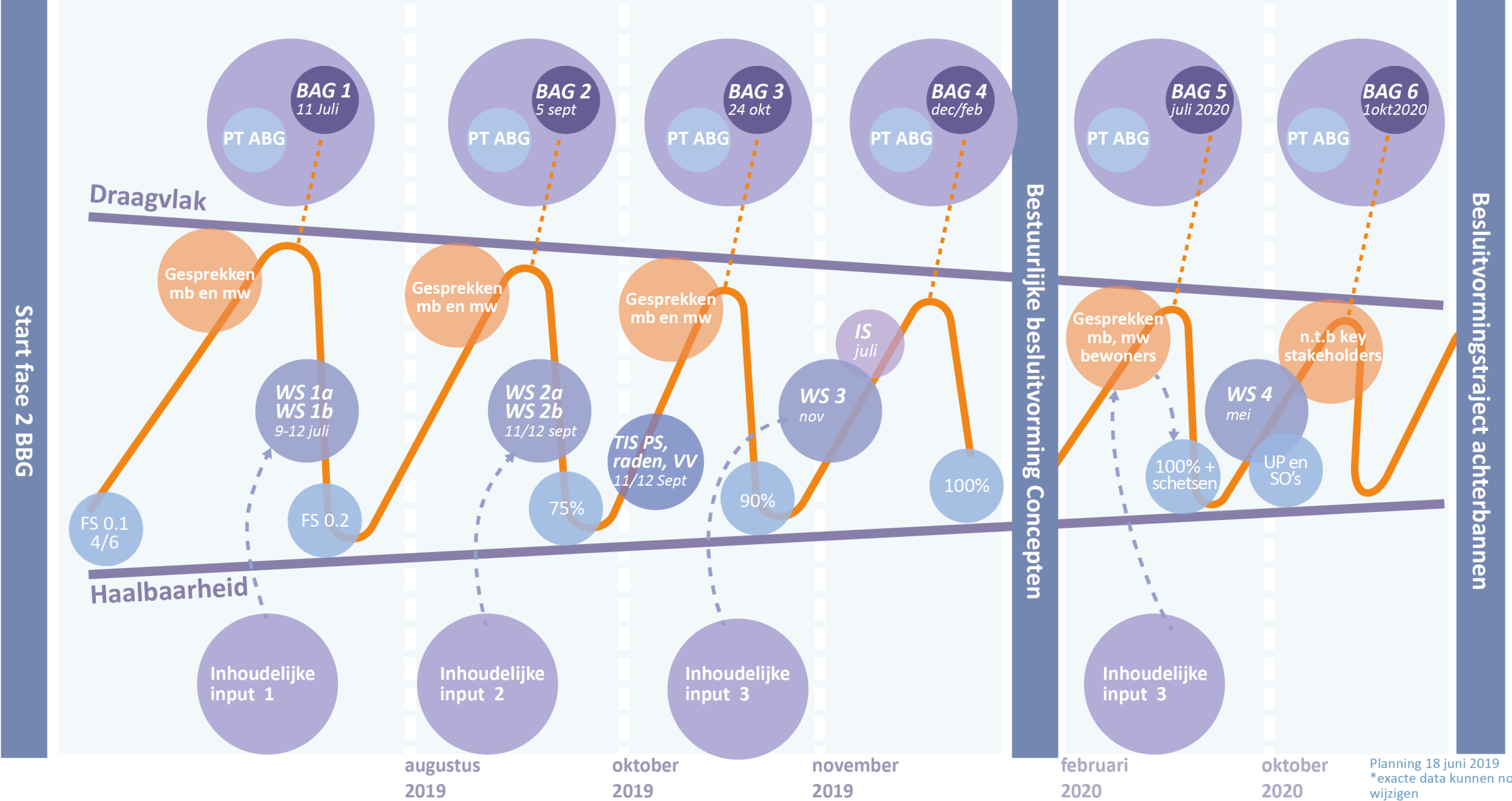
## Other example



## Example process design



# Trechteringsproces





# ACT 1: Each small GROUP



The caseholder introduces the case....

Think of what step you want to take (What stage do you want to be in at the support and feasibility axes?)

Use the 8 T's of process management to design the next step.  
Write them down on a flip

# Lessons learned

What lessons / insights have you learned about MGA?

How would you like to keep this approach alive and learn more together ?







## **BRIEF THEORY OF CONNECTIVE NEGOTIATION**

Version 15 January 2020



# **P2** *ideeën werken*

STRATEGIE | REALISATIE | ONTWIKKELING

Slotselaan 6-8 • 5328 ER Rossum • +31 418 66 47 47 • P2.nl





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## PREFACE

As a professional, you are in the middle of a society that demands new ways of working (together). For the simple reason that the challenges we face are becoming increasingly complex. Nobody can solve it on their own. Not the government, not the market, not civil society organizations and not citizens. If only it were that simple! But we live in a new time. Institutions no longer 'naturally' have power, citizens want to exert influence on their own environment, more and more information is available to everyone and transparency is required from governments and companies. Complex issues require more and more creativity if you are looking for a good solution that you can implement.

This requires a different way of negotiating. An approach that is aimed at finding solutions with new partners for unique situations in their own context. For very large, but also for very small issues. From the energy transition to the trees in your street. Connective Negotiation helps you to work solution based on the interests of the parties involved, that creates more value for everyone. A solution that you can implement - together - and that lays the foundation for sustainable partnerships in the future. Because you need each other more often.

"We have pushed the maximum attainable solution, there was nothing else possible," you often hear when negotiations are completed. But is that true? Or is there one "winning" and a "losing" party? Or is there a compromise on the table with which everyone can live, but which nobody is really happy with? For P2, a negotiation is only successful if the change really takes place, the renewal actually comes and the realization can start. This can be achieved by connecting parties with Connective Negotiation in a sustainable way on the basis of mutual gains. To achieve that, you work from a number of essences and according to a number of steps. This handout consists of three parts:

1. Process management (a short summary)
2. The **5 essences** of Connective Negotiation
3. The **5 steps** of Connective Negotiation

Good luck!

P2 Team Connective Negotiation



## 1 WHAT IS CONNECTIVE NEGOTIATION?

Connective Negotiation is based on the Mutual Gains Approach and process management. The MGA approach has been developed by Harvard University and the Massachusetts Institute of Technology (MIT). In the Netherlands, this is elaborated and explained in the book "Het kan wel!" by Frans Evers and Larry Susskind. At P2 we have combined MGA with the approach of processes to "Connective Negotiation".

The purpose of Connective Negotiation is that stakeholders come to a workable agreement, which has more value to them than no agreement. In addition, it stands for a transparent process and a strong relationship between parties for the future.

With Connecting Negotiation:

- Parties at the table and the process managers can never promise in advance that they will succeed. But it is their intention to reach agreement and that they do everything in their power to make this possible;
- You increase the chance of a successful negotiation result;
- The negotiation process is designed together and conducted transparently;
- The parties negotiate because they realize that they need the others to achieve their goals;
- Parties at the table consciously opt for this approach;
- The focus, also during the process, is on implementation. This way you prevent the agreement itself from being the end product.





## 2 PART A: THE PROCESS MANAGEMENT APPROACH

### 2.1 From an idea to a result

- > Wasn't it a good idea? Even the management thought it was. We have considered everything and yet ... Why did it not work out?
- > We have developed a vision together. Everyone supported it, enthusiasm everywhere. However, nothing happens, everything has ended up in the bin. How should we have done this in another way?
- > How do we get everyone together for the implementation of our wonderful plan?

All these questions are about the same issue: How do you make these ideas work? They are questions with many different views on a solution, where the parties have not yet been organized (or only informally) but they do agree on the existence of a problem, they are an idea or an opportunity. Conflicts between the parties can easily arise as everyone is in a different phase of the development process. One has an abstract idea in his head, the other already a design. Parties are often unable to realize a solution and gather others around them. Some see the initiative as risky and decide to drop out. Working with a project management method or improvisation turned out not to be the solution for these issues, but what could?

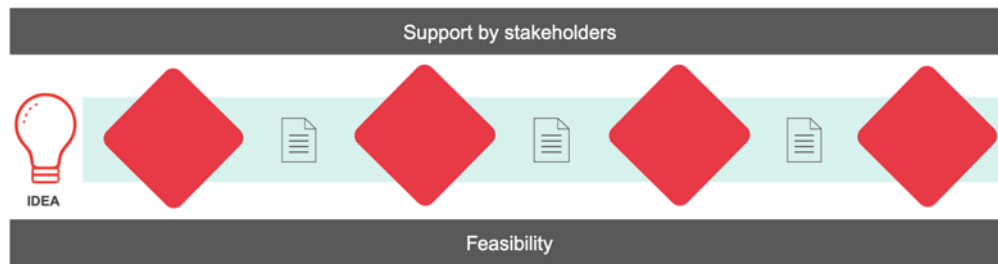
Process management appears to be a good approach for developing an idea when many parties are involved and the decision-making process is still unclear: the fuzzy front-end. It is a different way of thinking- and working method that also has its own skills and instruments.

Negotiation is a special form of a process: a negotiation process. Together with another party or parties you try, step by step, to come to a solution where you can say "YES" at the end together. This is about developing ideas around one or more issues. That is precisely why the method of process management is part of Connective Negotiations: it can help to achieve a supported and achievable result!



## Support and feasibility

But how do you (as a process manager) shape the development of an initiative? The process manager focuses on the balance between feasibility of- and support for the idea.



**Feasibility:** substantiating with facts, figures, scientific insights, hard policy, proven experiences elsewhere gives power to an idea. The idea develops substantively, also with the help of research or further elaboration. The substantiation of an idea develops at different stages: from conceivable at the very beginning of the idea to, sustainable, feasible and practicable at the end of the process. The feasibility of the idea grows as the process moves further along this axis.

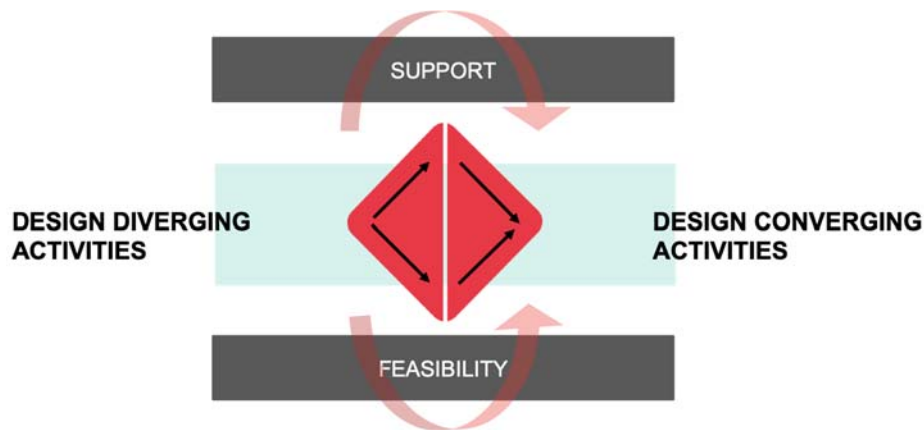
In addition to substantiation of the idea, there are also people and parties needed who want to embrace the idea, defend and (also) pay for it. In other words: **support** is needed. It is essential that people or parties who can take care of the realization are also involved. Support does not just arise. It is a movement that becomes visible from blank ('I have no idea') via interested and involved to invested. For one person this can sometimes happen in five minutes, but it can also take a meeting or months. This depends on feasibility, maturity of the idea and all sorts of other factors and actors.





## 2.2 Think in motion

The method of 'wyberen' has been developed to grow in support and feasibility. 'Wyberen' brings the development of the idea step by step, until it has a concrete, realizable form. The chain of 'wybers' forms the process, which is directed by a process manager.



We organize the realization, substantiation and embracement of the idea by diverging and converging in one process step. During the divergence, opinions and positions of parties become clear (for the sake of support) and facts and figures are added (in the context of feasibility). By using the right methods you create space for parties to enrich the idea. Information is added by all parties and knowledge is developed together.

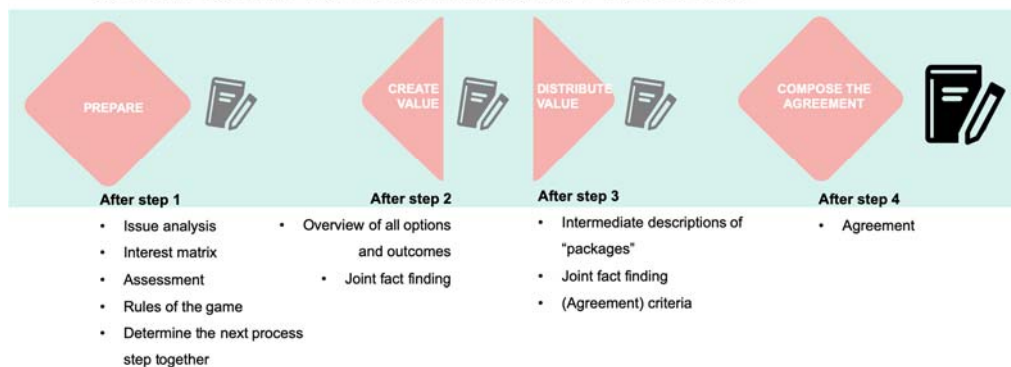
Converging is a summarizing movement that brings order to both the attitude of parties (in relation to the idea) and the substantiation with facts and figures. You will cluster and funnel the information so that you arrive at a single formulation of enriched ideas or concepts. No judgment or decision-making is yet taking place.

We call this set of movements in a process step a 'wyber'. You can repeat this more often and with multiple parties, sometimes in parallel for multiple ideas.



How do you complete this step? You look at the output and see how it is supported and how feasible it is: that is what we call consolidation. A consolidation is the joint recording of the state of affairs at that moment in the process. Parties do not have to agree with each other, the substantiation has just arrived at a certain point. That is what is described in the consolidation. Nothing more and nothing less. It helps parties to see where you stand in the process. Moreover, consolidation is the starting point of the next 'wyber' in which involvement, support from parties and content / form of the idea change again. Consolidation is the interim representation of the status of the initiative in terms of involvement of parties, content and approach.

### CONSOLIDATE IN A CONNECTIVE NEGOTIATIONS PROCESS



When the enrichment of the original idea has progressed so far that the realizing parties understand what they will deliver, the idea is finished: it is formulated as a result. If it is clear what needs to be achieved, you can switch to a planned approach, such as project management.

Example - from idea to result

**Idea:** improved access to the Province of Zeeland

**Possible result:** traffic tunnel under the Westerschelde

**Actual result:** water taxi network between Zeeland and South Holland

---

**Idea:** we use each other's knowledge

**Possible result:** joint exchange scheme for employees

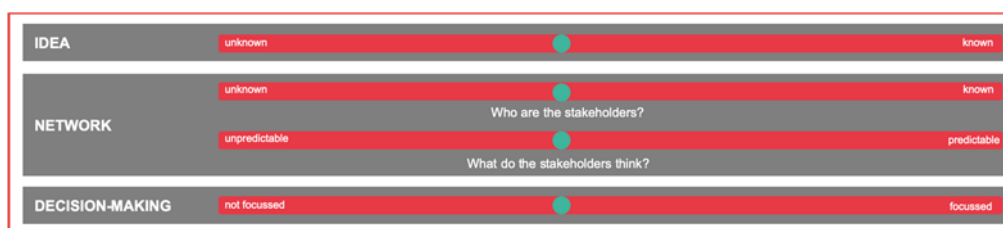
**Final result:** community of practice



### 2.3 When do you use a process approach?

Process management appears to be a good approach for developing an idea if many parties are involved and the decision-making process is still unclear. In addition to the process approach, there is also the well-known project approach and routine approach. But in practice, choosing a certain approach (process, project, etc.) is not that simple. For this we use the 'separator', a tool with 3 variables: the idea, network and decision making. Which approach is most suitable depends on the awareness of the idea, the predictability of the network and the focus of decision-making. If the intended result is already known, when you know who is involved and what requirements are set for the result, you will be better off with a project-based approach. With process management, the variables at the start are often less known or predictable:

- > **The idea:** as the idea becomes more or less concrete, more or less proven, more or less conceivable, this parameter shifts from "known" to "unknown". The more unknown the idea, the better the process approach will fit.
- > **Network:** who are the stakeholders and how do they feel about the idea? The extent to which stakeholders are known and to what extent their behaviour is predictable influences your choice. If the network is unknown and therefore also the behaviour of stakeholders in relation to the idea, the process-based approach will fit better. The more predictable the behaviour of the stakeholders in relation to the idea, the better the project-based approach will be.
- > **Decision-making:** the way in which decision-making is structured. Can the decision-making process be easily visualized? Are there formalized and recorded procedures and associated roles, tasks and powers of parties? Then a project-based approach is often appropriate. If a lot is not regulated in the decision-making process, or cannot be regulated, we call that an unfocused decision-making. A process-based approach fits best with this.





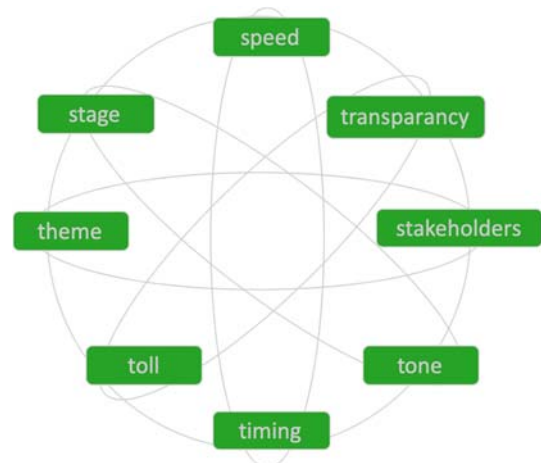
## 2.4 The Process Manager

As a process manager you control the motion in the process, which is different from the control that is central to project management. Process management has a number of instruments, which we use at Connective Negotiations. We mention 8 here: the 8 steering variables.

The steering variables give the process manager guidance on how to manage a process. You can use this to consciously make choices for the activities that you direct within a 'wyber'. The way in which you use the variables also determine the design of the process. In this sense, these control variables are for a process, which are management aspects for a project (Money, Risk, Organization, Time, Information, Quality).

The variables have a close relationship, as can be seen in this figure.

|  |
|--|
| <b>Theme</b>                                     |
| Issues at the table                              |
| <b>Stakeholders</b>                              |
| Stakeholders, representation and mandate         |
| <b>Timing</b>                                    |
| Choosing the right moments                       |
| <b>Speed</b>                                     |
| Decide about planning and speed in the process   |
| <b>Stage</b>                                     |
| Chose the places consciously, work on atmosphere |
| <b>Toll</b>                                      |
| Be aware of everyone's contribution              |
| <b>Tone</b>                                      |
| Keep attention for words and tone                |
| <b>Transparency</b>                              |
| Balance confidence and transparency              |





Steering on one variable usually also has consequences for other variables. It is always about finding the most efficient combination for the development of the assignment or initiative. In a good process design this most efficient combination is described and process steps are thought out.

Strict subdivision and ordering according to the variables in a process plan is often an artificial form. The cohesion is too large for that. It is more important to check whether all variables have been addressed adequately. The coherence of the effect of all variables make them reinforce the process in the same direction.





## 2.5 Examples of activities and methods

Below are examples of different activities that you can do to diverge / converge and methods that you can use to diverge / converge.

### DIVERGE

| Examples of activities related to support  | Examples of activities related to feasibility  |
|--|--|
| Interviewing users: <ul style="list-style-type: none"><li>&gt; Presenting the idea to management</li><li>&gt; Conducting market research</li><li>&gt; Checking the interest of local residents</li><li>&gt; Go on an excursion with department heads</li><li>&gt; Question someone's opinion</li></ul> | <ul style="list-style-type: none"><li>&gt; Figure out how much money is available:</li><li>&gt; Have experts indicate how osmosis works</li><li>&gt; Make an inventory of how many square meters it concerns</li><li>&gt; Work out which hard policy there is</li><li>&gt; Finding out where a new working method has already been implemented</li></ul> |

| Methods                       | Assumed effect  |
|-------------------------------|---|
| Field workshop                | Outside you are closer to reality, less analytical, more in the real world and therefore generate different ideas and different kind of contact with involved parties |
| Braindump                     | A lot of material in a short time; first round without influencing each other   |
| Brainstorm                    | A lot of material in a short time; generates ideas based on interaction   |
| World café                    | Reflect on each other's ideas on specific questions; can be supplemented or can be to converge  |
| Expert meeting                | Experts can help the group to think outside the possibilities that they see themselves  |
| Futuring                      | Quickly generates an image of the future; illustrates that little is really impossible; generates energy  |
| Have a look at the neighbours | Not having to think for yourself what someone else has already thought of; you know what you want when you see what you don't want                                    |



## CONVERGE

| Examples of activities related to support  | Examples of activities related to feasibility   |
|--|---|
| <ul style="list-style-type: none"> <li>&gt; Show who has which preference</li> <li>&gt; Organize parties according to possible contribution</li> <li>&gt; Indicate who wants to invest and who is interested</li> <li>&gt; View who is now positive or negative with regards to (parts of) the idea</li> </ul> | <ul style="list-style-type: none"> <li>&gt; Cluster information in a matrix</li> <li>&gt; List test data</li> <li>&gt; Plot numbers in a time and frequency table</li> <li>&gt; Distinguish important from urgent matters</li> <li>&gt; Different parts balance each other out</li> <li>&gt; Developing and applying criteria together</li> </ul> |

| Methods                       | Assumed effect   |
|-------------------------------|--|
| COCD matrix                   | Cluster idea along axes of innovation (little, a lot) and time (short, long);  |
| Sticker                       | Indicate preference in options due to the limited number of stickers; volatile, often used, suitable for choosing which promising options to continue to work on |
| Option Matrix                 | Elaborate on (sub) options thematically and have them scored   |
| Being able to support an idea | Learn and test whether a party can support a solution and defend it to their supporters  |
| Collegiate test               | Let others take a look at your first options; what they consider promising; e.g. a lawyer, licensing authority, enforcer or administrator                        |
| Scenario's                    | Mix between converging and then diverging: further develop a limited number of promising solutions   |
| One text approach             | Working towards one joint text for a decision during the process   |
| We are your supporters        | Gain insight into possible questions that you can expect; empathize  |
| Victory speech                | Write each other's speech. Empathize with the other; discover what is important for the (supporters of) parties  |



### 3 PART B: THE ESSENCES OF MGA

‘essence’ = the basic or most important idea or quality of something (Cambridge)

#### 5 ESSENCES OF CONNECTIVE NEGOTIATIONS



1. Focus on interest, not positions



2. Create value (increase the cake)



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



4. Lay foundation for sustainable collaboration



5. Work with joint fact finding

#### 3.1 Essence 1 : Focus on interests, not positions

We often negotiate via ‘positions’. “I want this, or not, I am for or against it”. We start the conversation with those views; I want more parking places, no bus driving through my street, the maximum speed in the residential area down and so on. If you take such a position, you often have thought about it carefully. You may have spoken to the neighbours and decided that you are against the proposed windmills or that you are against that new road. Perhaps an action group has even been established. The position has been taken and now you are going to defend it. The position is “the visible tip of the iceberg”, which hides the interests.



No doubt you know why you do not want the expansion of that holiday park very well. But do your neighbours feel the same way? And what about the people who actually want the holiday park?

With connective negotiation you look for the interests behind the positions; the why. When it comes to the holiday park on the edge of your village: why are you actually against it? Are you against it because you think it will be busy in the village or that all traffic will go through the village centre? And the proponents, why are they in favour? Perhaps the holiday park will provide extra employment for entrepreneurs in the village and extra turnover. If you discover the why behind a point of view, then you have an interest!



Think carefully about why you have a certain point of view and formulate your own interests. And look for the interests of other parties. If you think in terms of interests, more solutions are often possible.

A **position** is a point of view that you stand for, an **interest** is the answer to the question why you think it is

### Issues

Negotiations are always about something: the issues. The issues require a solution in the negotiation. The parties may have different interests in these issues or disagree about the possible solution.

Issues are not static but can develop over time and also change due to the context. For example, because there are new technological developments or suddenly there is a lot of social or political attention. Issues often have multiple dimensions. Take the example about "cows in the meadow". This is about management, manure processing and costs, but also about biodiversity, cultural heritage, landscape quality, recreational use etc.

You determine the stakeholders based on the issues: which parties have an interest in the issue and an interest in (or contribution to) a solution to the issue?

If you signed an agreement, the issue would be in the middle and you would be one of the stakeholders.

Issues are the subjects that require a solution and on which the parties disagree. At Connective Negotiations you think and work based on interests. If you have a clear view on the interests, you will notice that there is more room for solutions.

### Example – interests and positions

Position: I am against the arrival of the holiday park on the edge of the village

Possible interest: safety of school-going youth on the bicycle in connection with possible extra traffic on a frequently used route

Position: I am in favour of the arrival of the holiday park on the outskirts of the village

Possible interest: extra turnover for the various restaurants in the village



### 3.2 Essence 2: Create value (enlarging the pie)



The crux with connective negotiation is the creation of added value. You look for negotiation because you want to benefit from it and you realize that you need the other person for that. And you are aware that it is the same for the other.

In your attitude and behaviour in a Connective Negotiation process you therefore strive to add more value. In this way you make the 'pie' bigger. After all, a larger pie is much easier to distribute, because everyone gets a bigger piece.

We have already said that thinking about interests gives you more space for negotiation. More negotiating space means more chance of an agreement that is better than no agreement for everyone. You also create more negotiating space by adding creative solutions. Combining issues can also generate extra value.

- > Create as much added value as possible.
- > Search for creative solutions.

If you already have a good deal in store at the start of the negotiation process, what do you do? Then you first investigate whether the pie can get even bigger. You save this "deal" as a possible solution, but you are not committed to it yet. Because you are looking for the biggest pie (the best solution).

- > Combine issues and combine creative solutions.
- > A larger cake is easier to distribute: in the end everyone gets a bigger piece. That is why you have to search carefully and for the biggest cake, the best solution.

#### Example interests and positions

In the beginning of a negotiation there is always a party who says: "Well, this is not going to be anything, because the nature organization wants more land, the farmers want more land and there is not a lot of land, so you can never get an agreement." Or: "This is the project area, the solution must be found within the area." And another common occurrence: "There is simply no more money." This seems a very realistic approach, where people do not want to make too big expectations for the other parties. But our experience is that it is often not true. Perhaps the first example is not just about land, but you can add value to the negotiation process when it comes to, for example, building space. Often you can come up with good solutions if you look a little further than the project area. And in terms of no money: you can often get more money available if you know how to combine multiple solutions in a smart way.





### 3.3 Essence3 Know your BATNA Best Alternative To a Negotiated Agreement



Do you know what your alternatives are if you cannot reach agreement at the negotiating table? What can you do yourself if, at the start of a negotiation process, you decide not to join the negotiation, or decide to leave the process along the way? In other words, do you know your alternatives outside the agreement? A key condition for every negotiator.

You start negotiating because you think that by concluding an agreement with the other person, you yourself will also benefit. And they will benefit with you. That is why you also need to know what you can do outside the negotiating table. Suppose that the negotiation fails, you must know what you have in your hands.

If you 'value' your own alternatives (outside the negotiating table), you can determine your best alternative: your BATNA (Best Alternative To a Negotiated Agreement). You want to achieve better results at the negotiating table than your BATNA. Therefore: know your BATNA before you start a negotiation!

- > An **alternative** lies outside the negotiating table
- > You look for a **solution** within the negotiation table, together

#### Example – rent increase

You live in a student city, you have a lot of friends and you have been in a relationship for 6 months. You live alone and rent a room from a landlord. The landlord rents out several rooms in the same house. Your landlord announces that he wants to increase the rent of your student room from 650 euros to 750 euros. That is not an imposed increase, you can still negotiate. Before you talk to him, first consider what your possible alternatives are if you do NOT come to an agreement with him. You come to the following list with possible alternatives:

- > Take legal steps, look up jurisprudence on rent increase;
- > Call on the association of tenants to investigate whether you can take steps together with other tenants against the planned rent increase;
- > Cancel your rent and find another room;
- > Move in with your friend, start living together.

What is the Best Alternative? That's your BATNA!

Your BATNA depends on your personal situation, time / energy you want to invest in it and your relationship with your negotiating partner. In this example: if you are not ready to live together, it is not your Best Alternative. If you don't like your fellow tenants, then it becomes difficult to spend time together, etc. Your BATNA is therefore personal and depending on the circumstances!



#### Essence 4 : Laying the foundation for sustainable partnerships



Trust plays an important role in negotiations. Sometimes parties do not trust each other, on the basis of prejudices or on the basis of experiences they had with each other. Trust is not an abstract concept and it is not a question of "it there trust or not". You can work on it. You can build trust, you have to maintain it and sometimes you need to restore it. Correctly involving

stakeholders in your process, having a genuine interest in each other's interests, working on joint fact finding, transparency in your process and compliance with process agreements are all things that help build trust. Trust gives your process momentum and increases the job satisfaction!

In Connective Negotiation processes, stakeholders are equivalently 'seated' at the table. Equivalent is not the same as "equal". Some parties feel more important than others. For example, because they live in the area and are directly related to the result of the project. Or because it's about their land. Or because they fulfil a government function and represent the entire municipality or province.

Everyone has a different role in this process. The landowner has a different role and decisions to make than the municipality that has to adjust a zoning plan and also has to go to the city council. Power differences simply exist. But in a Connective Negotiation process, we ensure that all stakeholders have an equal input when it comes to their interests contributions to solutions. All stakeholders are jointly responsible for the development of the process.

#### **Example – Redesign of a sewage system**

The sewage system in a large street near the city centre is in urgent need of replacement. Therefore, everything is going to be redesigned - the sidewalks, the cycle path and the lampposts - and all the trees in the street must also be cleared. All residents in the street were informed by the municipality, which simultaneously asked in this information letter who wanted to register for a sounding board group. Six residents of the same apartment complex responded in the street. That seemed too limited for real representation. The municipality therefore mapped out which people in the street have an interest and it turned out to be more than expected: the shopkeepers, the people in the surrounding streets and the flow of traffic depend on it, the owner of the large music centre etc. All those parties were asked to determine together who could best represent them. That is how the active negotiation group (instead of the sounding board group) came into being and in six months a plan was made together with the municipality for the redesign of the street. All stakeholders thus had a share in the entire process. Their input mattered.



Why is such a level of playing field so important now? At Connective Negotiations you work based on consensus: a solution that is better for everyone compared to if you had not come to an agreement. Then it is necessary that all interests are put on the table and all creativity is brought into solutions. This is only possible if everyone's input counts and is taken into account in an equivalent way. A level playing field is not 'just there' and you have to create it together.

- > Continuously build trust.
- > Stakeholders are equivalently at the table
- > All stakeholders are responsible for the process.
- > Everyone can contribute to the solution.
- > Focus on the long-term relationship(s).



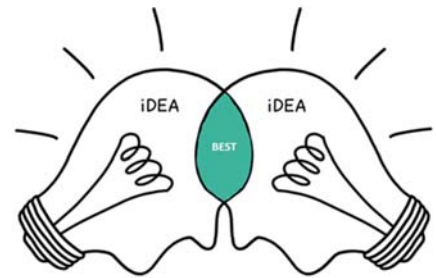
### 3.4 Essence 5: joint fact finding



The time that knowledge was power is behind us. Nevertheless, knowledge still plays an important role in negotiations. Withholding knowledge is also often seen as an advantage over the other parties. But a lot of information is now freely accessible via the internet. Anyone who prepares well for a negotiation can have a great deal of knowledge. This means that knowledge is no longer exclusively reserved for specialists. Citizens are often also specialists or former

workers in the field. And if one of the parties at the negotiating table does not get what they want, there is always a consultant or a friendly neighbour who can prove with a report that they are right. Then a report from the counterparty follows, and so on. This leads to a high stack of documents, which costs a lot of time and money, but is not very productive.

At Connective Negotiations we assume that you are most effective when you share, and jointly build, the knowledge needed to arrive at a good solution and decision-making. The various parties together probably already know a lot, but there may also be a lack of knowledge. It is essential to share that (necessary) knowledge and to develop it jointly. Parties that opt for Connective Negotiations therefore also take the responsibility to delve into the content of the topics.



You share information you need for a final decision with all parties:

- > You develop knowledge together;
- > Joint fact finding may be needed throughout the entire process: from exchanging existing reports during preparation to examining possible options and the feasibility of various options later in the process;
- > Information and knowledge must be recorded unambiguously.

### Example – Molenhoek

A beautiful winding stream runs right through a city park. In the stream is a very old water mill, a cultural-historical monument, owned by a foundation. Near the mill is a weir that regulates the water level with the centuries-old rights for the miller. The old mill generates - with a modern installation - energy for around 10 households. The water control organisation (waterboard) would like to lower the water level of the stream by one meter in order to comply with the Water Framework Directive (objectives for clean water, higher biodiversity). A number of substantive questions have already been asked. There is a report from an agency which says that lowering the water level by one meter makes energy generation impossible and that it is therefore not possible to cooperate in lowering the water level. This report has not yet been shared, but people have heard the conclusions already. The process is at an impasse. The parties that involved are: the municipality, the water board, the cultural-historical foundation and the mill's energy operator.

In this situation it is useful to ask yourself and each other questions and then share information that not everyone has.

Questions based on current information:

- > Is the report known to all parties?
- > Who prepared the report and is this party (and therefore the outcome) trusted by all parties?
- > Is the outcome of the report controversial?
- > What assumptions have been made?
- > What other information / reports are there? Are these known to everyone?

What do we know about:

- > Need for water level reduction
- > Way and amount of energy that is generated
- > Effects of the water level on the mill's cultural-historical construction state
- > What do we know together? What do we not know or do not agree with?

Questions for joint fact finding

- > What kind of questions do we still have? Can we specifically formulate these together?
- > What is needed to find answers?
- > What do we really need (and what is "nice to have")?
- > How are we going to do that? Can we do that ourselves or do we need someone from outside? Who do we trust?
- > What role does who play in this?

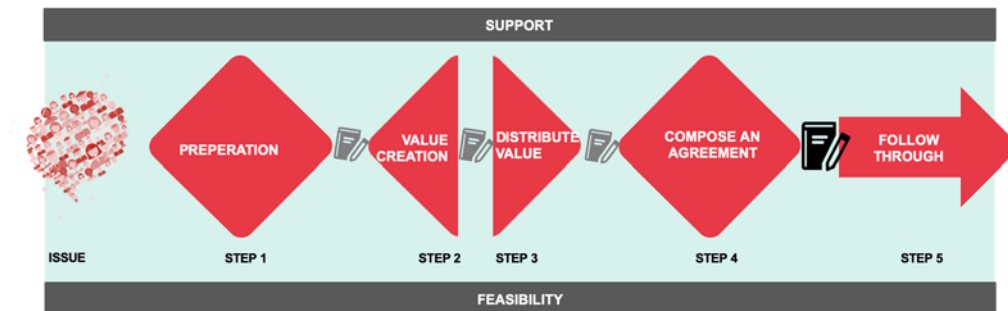
If you have answered these questions together, you can make an appointment about how to proceed and how to do it. In the case of the Molenbeek, it was not opted for an investigation by an external agency, but for practical experiential learning with all parties together. By raising the weir in the stream, the level of the stream could be lowered one meter in one go. This way everyone could see the effects that this had on the water level and the banks, but also on the foundations of the mill and of course the energy generation. It was important that everyone was involved in the moment of raising the weir, that photos were taken and that the energy measurement of the mill could be viewed together. It was recorded and reported back to the rank and file. This created a common basis from which to think further about other options, because it turned out to be unfeasible.



## 4 PART C: THE STEPS

**Step** (Cambridge)

1. A stage in a process
2. an action in a series of actions taken for a particular purpose



The 5 steps of connective negotiations

1. Preparation
2. Value creation
3. Distribute value
4. Compose an agreement
5. Follow through





## 4.1 Step 1: Preparation

### The importance of preparation

Successful negotiations require preparation, preparation and preparation. Good preparation is often more than half the battle. That is why step 1 often requires most of the time. Before you get to the negotiation yourself, you want to know from your own organization which issues are at stake, what your or your organization's interests are in this negotiation and what information is available. You also want to talk to the other parties. You want to know what is important to them (what are their interests?).

It is not always easy to take time for this, but with Connective Negotiations “Go slow to go fast” applies. Take your time at the beginning, so you can speed up afterwards. When preparing you have to think of many things:

- > You visualize what you already know about the issues and collect available information.
- > You identify your own interests.
- > You present your alternatives if you cannot figure them out and then determine your BATNA.
- > You are already considering possible options that could benefit multiple parties.
- > You determine at your own organization what your mandate is at the negotiating table.

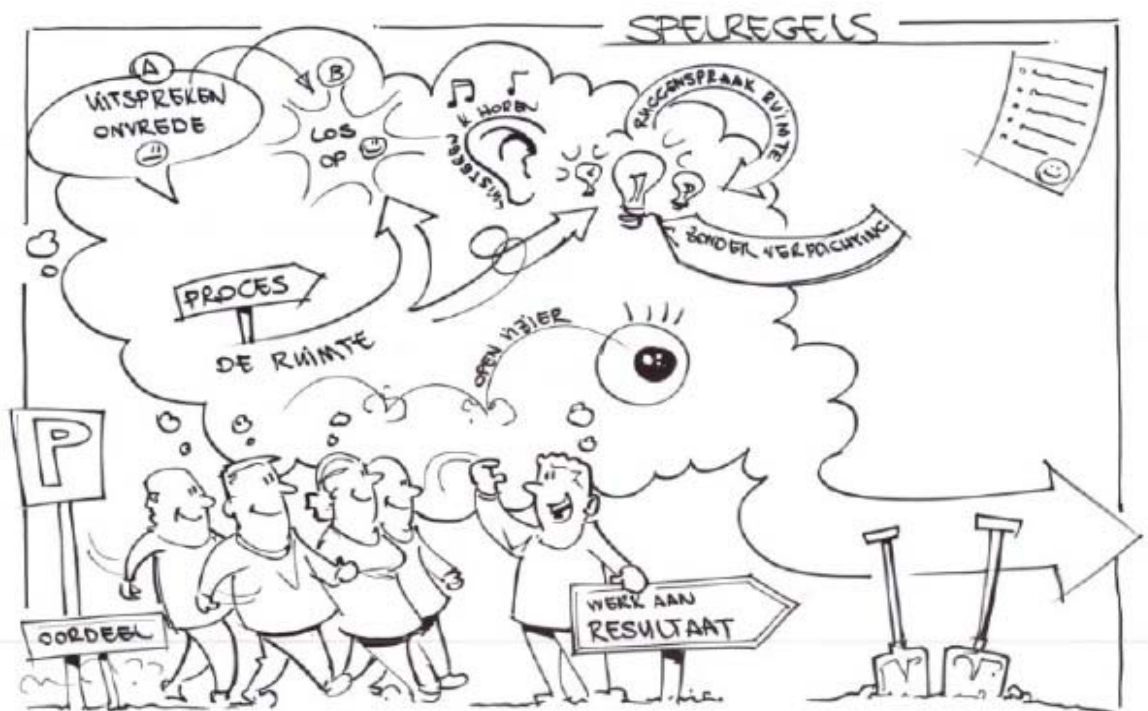
Then you would like to know these things also from the other parties at the table. For that you may have to conduct meetings or call people.

### Process agreements

Usually the process manager ensures that you come to a set of process agreements. But even if you are a party at the table, you can introduce these. It is important to make agreements with all parties involved about HOW you will work together. As a group, you are responsible for remaining faithful to these process agreements. They can change if you agree on that together. It seems a small matter, but your process agreements are your first negotiation result with this group. If you do not come out of the process agreements, you can ask yourself how great the chance is of success for the rest of the negotiation.

### Examples of process agreements

- > Joint image
- > Respect for each other
- > Openness about the process
- > Confidentiality about the content
- > Communicate external message together
- > Constantly check on interests
- > Open Honest and Curious
- > Take time for a good conversation
- > Not without obligation, but result-oriented
- > Take responsibility in relation to current processes
- > Listen





Where do you work towards?

Try to visualize where you are working towards as early as possible. Is it an agreement between the parties? Is a change to the zoning plan required? Will it be a management agreement or a business contract? In short: you must know what you have to do. Try to form an image as early as possible of what kind of agreement should be delivered. Connective Negotiators always make agreements on the implementation of the agreement as part of the agreement. The agreement itself is not the end product of the collaboration. We are only ready when it is done.

### **Are all stakeholders at the table?**

Ask yourself and as a group whether you have all parties on board that are important. These are parties that:

- > Have the benefits and / or burdens of it (have a clear interest in the issues);
- > Are able to enable or prevent final solutions;
- > Play a role in the possible implementation.

In addition, there are sometimes parties that have a lot of knowledge or can make a creative contribution to options. They do not necessarily have to be at the table, but could also play a role in a certain step of the process. "All stakeholders at the table" does not mean that everyone always has to be everywhere. With a careful process design you make the best use of everyone's time.

### **Mandate**

Before you sit at the table, you want to be clear about who is sitting at the table on behalf of which party, with what role and with what mandate.

Make sure you know about yourself and the other parties at the table. Organize the consultation with your supporters and make sure you know what you can say at the table and for which consultation with your supporters is first required. Make it clear to the others at the table for what and when you should go back to your followers. Make sure you know how they do that. Ask yourself and the others the check question: do you have the right people at the table to make decisions?

### **Example: representatives**

The farmers lobby organisations is sitting at the table, but none of the farmers in the area feel represented by them. They also appear not to be a member. They want to sit at the table themselves and arrange a delegate.



Some stakeholders at the table have no support base and can make decisions directly. Think of a single entrepreneur. Others have a very limited mandate. Consider a policy officer from a municipality, water board or province who has to go back to the college or city council for important decisions.

#### **Example – action group**

A civil action group claims that they represent 300 people because 300 signatures were collected 10 years ago against a plan at the time. A thorough questioning may reveal that there are now only 15 active members of this action group and that they do not maintain active communication with the 300 signatories of the time. The village still has a neighbourhood association, perhaps it should also be at the table?

If your mandate is limited, it is important that all parties know that, be transparent about it. Conversely, you are expected to put the outcome of the consultation on the spotlight in your own organization and to defend it. Even if your mandate is limited, you always work on consensus at the table.

Always close each meeting with one short text with which everyone can go back to their followers. In this way you ensure unambiguous communication to all followers. Moreover, it is a nice way to determine whether you can clearly formulate the message together.

#### **Issues**

You map all issues together. Issues are the topics that you should talk about, for example because opinions differ on them. You may discover new issues during the process, so it is a dynamic picture. Because not all the interests of a stakeholder are relevant to the negotiation, you first establish the issues together. On the basis of that, you then identify what everyone's interests are.

#### **Interests**

Connective Negotiations works based on interests. Interests are the answer to the question "Why is this important to you?" Interests often come logically from the intentions of your organization. Investigate your own interests and those of others. You can have multiple interests in an issue.



You identify interests together. You want the others at the table to know what your interests are, so that they can help you find a solution that also serves your interests. cannot be open enough about your interests.

### **BATNA**

Before you sit down at the table you need to know what alternatives you have (or can get) if you do not come to an agreement. Your "best" alternative is your BATNA: Best Alternative To a Negotiated Agreement. Far too often parties in a negotiation have insufficient focus on this. Make a distinction between alternatives (that you can only reach outside of the negotiating table) and solutions that can come about together with others at the negotiating table.

#### **How do you know your own BATNA?**

Think of everything you could do without the others, in case you do not reach an agreement, step off the table early or if you do not participate in the negotiation at all.

Assess the value of each alternative: that leads to a ranking of your alternatives. Select the best plan "B": that is your BATNA. Although it is your best alternative, your BATNA may not be very strong. For example, going to court to object to the zoning plan. You never know in advance how much chance you have there. Are you still able to improve your BATNA?

Also try to get behind the BATNAs of the other parties. Not to manipulate, but to know when the solution on the negotiating table is better than their best alternative for them. In order to increase the quality of the solution. This can be done by asking about it carefully if sufficient trust has been built up: "What do you do if we can't work it out together?"



## Example of issue/interest matrix

### Issue/belangenmatrix

CASUS: <omschrijving>  
NAAM: <ingevuld doot>



| STAKEHOLDERS<br>↓ | ISSUES → | <ISSUE> | <ISSUE> | <ISSUE> | <ISSUE> | <ISSUE> |
|-------------------|----------|---------|---------|---------|---------|---------|
| <NAAM>            |          |         |         |         |         |         |
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The matrix in the example above can help you to organize stakeholders, interests and issues. But it can also be done on a brown paper as in the example below.

## Example elaboration of stakeholders, interests, issues on brown paper







#### Joint fact finding

In the preparation you identify with the stakeholders the facts to find out what you already know together. These facts regularly turn out to be interpreted differently by each stakeholder or it is not clear whether something is a fact, an assumption, an interpretation or a point of view. What you need to know to make a decision is the guideline for joint fact finding. It is therefore important to agree together on the things that you must know, that you already know and that you do not (yet) know. Also think ahead: what are you going to do with the knowledge, what do you need the knowledge for?

### 4.2 Step 2: Value creation

Creating value is the second step in a negotiation process. You will investigate together whether you can create added value that benefits all parties. That means that you will come up with all possible options for the various issues. These options could add extra value compared to the initial situation. This is where the essence of "the cake can be bigger" comes in.

You are looking for a possible solution that is better for everyone than if no agreement is made. A solution that is better than what you can achieve on your own (your BATNA). This applies to you and the other stakeholders at the table. Before you choose one solution, you first want to know which options are available for each issue and of course you want a combination of the best options!

The aim of this step is to identify as many options as possible that are in line with the interests of the parties and have added value for everyone. You want to leave as little value as possible. You do this process of value creation to investigate the feasibility of attractive options. You postpone judgments about solutions (support, feasibility and costs, for example) and decision-making on these until the next steps.

**Joint Fact Finding** focuses on the knowledge / information you need when coming up with options. Keep decision making central: what do we need to know to be able to make a decision on this?

Finally, you work on objective criteria to be able to select the best total solution in step 3. How do we objectively assess the different options? Calculating the cost price of something and compare that against the other options is an example, just like the amount of water storage capacity of a stream ( $M^3$ ) that differs between the options. But how do you assess whether a certain street layout contributes more or less to the quality of life? Consider a scientific assessment based on sustainability, the judgment of an expert or an expert team, etc.



At the end of step 2 you have a long list with all possible options and you have determined the objective criteria together. These are two consolidation products that are required for the next step.



#### **4.3 Step 3 : Distribute value**

When there are no more new options, it is all about making choices. In this step you will examine all the options together. You check the interests of all parties and you use the objective criteria to filter.

The options that do not satisfy are parked for a while. Nothing is thrown away, because sometimes you still need that creativity to further improve your chosen options. In this way you arrive at one or more options per issue that (more or less) meet the various interests and that fit the objective criteria as well as possible. Then the trick is to make different packages of options, in order to choose a composite package that does justice to all issues. Only when that package is there, there will be a final solution and you can "start distributing the cake". Ultimately, after much thought and weighting and package adjustments, there is a solution that every party can agree on. Each party then has a "part of the cake". Financing also comes in here. Often there is a discussion about how "fair" the solution is. It is about who can bear which "burdens" in relation to his interests and the size of the pie. There is also the option of making that suitable with (new) financial resources.

#### **4.4 Step 4 : Compose a new agreement**

In Connective Negotiations we constantly work on careful and correct reporting of all products during the process. To ensure that parties are and remain sharp on what is being agreed. These consolidations also help with all subsequent steps, because it is the description of the state of affairs at that time in the process. Ultimately, the chosen solution and the preconditions or other agreements that go with it must be described carefully. The one-text approach is then important: there is only one text of the agreement that is managed by the process manager or an agreed group of people at the table.

In this way there is no misunderstanding about which texts are submitted and the responses / additions to them. A legally valid agreement is also a check that must be done in this step. It is crucial here that we constantly work from the idea: "how do we make it possible", also legally.

Every party at the table must take extra good care in this phase for feedback from its supporters and for the joint result, to be able to defend it. This sometimes requires



help from other parties. Consider a city council where a farmer, the water board and the alderman involved come together to present the chosen package of solutions.

You also make "what if agreements" for the final step, implementation. You also already think about the guarantee and record your agreements in your agreement. In the implementation you finally come across unforeseen issues and you will then have to resolve them together. You can anticipate some situations and discuss them in advance. Other things happen to you and you will have to deal with that. You make agreements in any case about how you want to resolve potential differences of opinions. And of course, you also make agreements about the management or maintenance of an area, system or construction.

At the end of this step there is usually a reason for a party: the signing of the agreement by all parties. But then the work really begins!

#### **4.5 Step 5: Follow through**

When the agreement is concluded, a period of work behind the scenes sometimes begins. The implementation cannot always start immediately. For example, permits are required, or additional decisions, etc. Then often other and new people come on board, who have not experienced the previous steps. This may sometimes be less visible to the other stakeholders. It is then crucial to maintain good relationships, to keep people informed where necessary and to involve them in this work behind the scenes. Securing the way of working, including new people in the process agreements and continuing to work in the spirit of the agreement is crucial. You have to organize that together, because experience shows that it can disappear quickly.







### Dokumentation for deltagere

Arrangør: Coast to Coast Climate Challenge og Klimatorium

Formål: At lære om forhandlingsmetoder

Dato: 9. – 11. september 2020

Mødested: Isværket, Havnen 62, 7620 Lemvig

Mødetidspunkt: 09.00

Du skriver under på at du har deltaget i arrangementet og at vi må dele din e-mail, samt tage billeder

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| Anna Trojahn              |             |
| Bertel Meilvang           |             |
| Birgitte Hoffmann         |             |
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| Cathrine Bärtel           |             |
| Christian Billund Dehlbæk |             |
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| Jacob Bruun               |             |
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