

EVERYONE CAN WIN audio script edition

Skill 9: Designing options

Podcast time codes:

Mins: secs	Topic
03:10	Stage 1: creating lots of options
06:18	Brainstorming
11:54	Currencies
14:30	BATNA
16:07	Consequence confrontation
17:16	Chunking
18:10	James' story
20:43	Stage 2: choosing the most suitable option
25:01	Stage 3: acting on your chosen options
26:12	Summary

There was a wonderful Taoist teacher called Lao Tsu - 6th century BCE, I think. A very practical, down to earth kind of a guy. Just the sort of energy we need to start this session on Designing options. Lao Tsu said lots of subtly profound things about the art of leadership, such as:

'If you do not change direction, you may end up where you are heading.'

If he didn't actually say this one, he certainly could have. Obvious? Maybe not! Human nature being what it is, we do lots of persisting with what we've always done. And we don't really consider where that's heading.

Have you got issue that's not moving in the right direction? Or stalled altogether in unresolved conflict? Today's episode is my encouragement to you to:

Check out the options.

What's feasible? What's enough? What's fair?

#

We've arrived at skill number 9 from the book, *Everyone Can Win*, about handling conflict constructively. Design and evaluate what you might do. You may have already



taken a first step away from being stuck. Perhaps you've done a Map of everyone's needs and fears, as we discussed in the last episode. Your next step towards wise action is to build solutions that offer some wins to everyone involved. So, whenever it's possible, work it out together!

What are the options? Imagine, dream up, innovate! Get out of the rut! Be creative and inclusive. Good conflict resolvers are great at designing incredibly creative options. So break your old habits, shift your viewing points and figure out some new ways. The creative process is like diving into a treasure trove of possibility. What you bring to the surface depends on what you are looking for. When you're looking for solutions where everyone can win, where everyone's needs are met, that's what you're more likely to find. Moreover, co-operating on the process will reduce power struggles and help the relationship in the process.

Power politicking escalates in climates where people don't fundamentally trust that their needs will be properly considered. When we search for solutions that acknowledge other people's needs as well as our own, we are saying: 'I care about you', 'I respect you' and 'You have the right to need what you need.' And so do I!!

#

There are three distinct stages:

- creating options
- choosing the most suitable ones
- acting on the chosen set

STAGE 1: CREATING LOTS OF OPTIONS

Define the problem in terms of needs and concerns as we discussed in the previous episode on mapping. Once you are clear what everyone's needs are, open up the possibilities. You are trying to design an answer that incorporates wins for everyone and turns opponents into partners searching for a solution together. When we get the process right, the substance usually follows. The process should demonstrate in practical ways that our heart and intentions are in the right place.



This is the time to be creative. It needs a different head space to the analytical and reflective mode you need for mapping. Do something to stimulate the creative juices. If you've been working on a problem for some time, it might be good to take a short break. Get up, move around, break the tension, play some music, have a laugh. Perhaps take a moment to play – toss a ball around if you can!! If you've been stuck in one mind-set, consider turning around the seating in the room by 90 or 180 degrees.

We're trying to engage the other side of our brain. In general, left hemisphere thinking is where our logical, analytic and sequential processing of information takes place. The right hemisphere, the part of our brain that will give us substantially new and creative solutions, focuses on holistic thinking. It is less dependent on speech and more focused on pattern recognition. We want to move out of the old ways of seeing the problem and change perspective. We have to be willing to dislodge old assumptions and manipulate new data in new ways. We want to transform the situation, perhaps bring into being something that didn't exist before. We want to really use the power of synergy to accomplish together what we could not do alone. It's a sign of our emotional intelligence when we can act in synergistic ways. It means we'll accomplish more together than can happen with each person acting independently. It gives you a new equation: $1+1=3!$

Collect suggestions without judgment at this stage.

This phase is about exploration and discovery. Allow in possibilities and let them remain as possibilities. Even mutually exclusive possibilities can be allowed to enter and can sit alongside each other. At this early stage, don't judge the ideas that are coming up, just keep encouraging the flow.

Try brainstorming

- You brainstorm to create a smorgasbord of options. Your aim is to come up with as many ideas as you can before stopping.
- Appoint one person to record all suggestions. If a group is involved, write up suggestions with thick, coloured pens on a large sheet of butcher's paper so everyone can see the ideas going up. Use coloured post-its for ideas and collect them in different groupings. Find different ways of seeing it.



- Welcome all ideas, no matter how crazy. Allow a little humour and nonsense if at all appropriate – this can release tension and generate some lateral thinking. Be bold – what seems impossible might be **the seed of a good idea**.
- This is the time to explore, to look for possibilities, not to judge, assess, reject or choose.
- Take in all the ideas without prejudice, commitment or evaluation. Write them all down. Don't stifle new possibilities and don't imply people should stand behind any option they come up with. All ideas belong to the group.
- During a difficult negotiation, you might choose to hold a brainstorm at a special time and define it as a process 'without prejudice' or commitment to any solutions developed during the session.

The more options and potential solutions there are on the table the more likely it is that people will find one or two that will work. Remember that people feel more committed to solutions they have had a hand in developing.

Are you dealing with a thorny issue that probably needs a wider range of options if it's really going to get somewhere? Can you involve the other person or people in the process?

Use questions

Because questions open our minds to new possibilities. They are especially helpful where we can only see one solution to the exclusion of other options. Don't let a solution 'set' too quickly. Use questions to prod creativity. Here are some questions you might find useful:

- 'What are all the possible options for creating the outcome we want?'
- 'How else could this situation be addressed? From another point of view?'
- 'What would happen if...?'
- 'What can we do that would help?'
- 'What would this look like from the future, looking back on it?'
- 'How might a child describe this problem?'
- 'What else might work?'
- 'How else could we do it?'



- ‘If you had a magic wand what would you do?’
- ‘What else ?’

If you can't make a decision it's usually because you haven't got enough information or can't understand it. What would help?

- Is more information needed? From where? Who should have it?
- Do you need information presented more simply, e.g. illustrations, summaries?
- Do you need something to be clearer?

Be practical

Conflict resolution is not just people skills. It's also essential to design practical solutions. We don't keep on yelling at the toddler not to touch the vase, we move the vase. We can often structure situations so that the problem doesn't arise. Exasperating things happen because they can. If people keep using a short cut through your office space and it is annoying, lock the door. Many issues can be solved by practical design.

Would one of these apply to your own issue?

Consider information and its flow

Does the solution you design need to include strategies for information flow on a regular basis?

How about:

- Earlier reporting,
- Regular times to talk,
- Notes on the fridge, quick texts about plan changes, or hooking into a location sharing app

Generally speaking, most situations in our life are going to be helped by more commitment to passing on more information.

Structures or procedures



perhaps, need to be updated too. Think about:

- New lines of authority and responsibility,
- Updated report-back systems,
- And changed instructions.
- How about introducing a formalised set of procedures?
- Or more planning.

Objects and services

could hold the key

Are physical objects or available services part of the solution? For example:

- Purchasing or hiring equipment/furniture,
- Or employing someone new.
- Hiring services, e.g. physical help, medical, business, personnel, legal advice.
- Mediation might help.
- How about **relocating or reallocating** space, equipment, furniture or even tasks?

Get them all written up, sit back and look. Ask yourselves: Are some similar? Do they group? What if ...?

There's a very interesting term often used in textbooks on negotiations. It's the word: **'Currencies.'**

And it's not just about money. It's about anything we can trade with each other.

Could be worth a discussion: *What is cheap for me and valuable to them?*

Everyone is a potential ally. Find out what they need, want and desire and what you could offer. Look for something you could offer which is easy or low cost for you and helpful or valuable for them. Look for something they could offer you that is easy or low cost for them and helpful or valuable for you.

These are the 'currencies' in which you can both trade. Currencies might include services, timing, recognition, information, inclusion and security. Good solution-building works on a broad front. The aim is to develop a package that encompasses a wide range



of factors. Generate balanced benefits for all parties. What would it take to meet more needs for more people? The aim is to survey everyone's needs and sweeten the pie for yourself and for the other person, starting with low-cost components. You will often be able to trade concessions.

It's worthwhile thinking outside the square. People need things you can offer that may not be directly related to the negotiation at hand. Sometimes offering a reference might really help. Sometimes they need better ways to be kept in the communication loop. Sometimes there's a side deal you can make. Could you offer to cook a meal? Look for outside-of-the square currencies to trade with.

For example in negotiating a salary package, you will consider money (of course!), and there may be many other things too, currencies, that could be valuable to the other person: flexible work hours, status, job title, office and equipment (the latest technology in a new computer is often very tempting!), special superannuation benefits, help with a housing loan, bonuses, holidays, career path opportunities or further education.

Consider, what if we can't agree?

What's your best alternative? Your BATNA

When designing options in a difficult situation it is thoroughly worthwhile to design a good alternative, just in case you can't reach an agreement. Professional negotiators, including Roger Fisher of the Harvard Negotiation Project, use the acronym BATNA as shorthand for this key concept. It stands for the 'Best Alternative To a Negotiated Agreement'. Look for or build alternatives for yourself. If your best alternative is a good one, you'll have more freedom and power in your negotiation. Being too eager can be a disadvantage when you're bargaining. If the other person can sense how badly you want something and knows you will agree, they don't need to be flexible on terms.

You can't sit back and wait for a BATNA to just appear, you'll need to create it and that might mean some research. If having a BATNA would help: first create a list of possible alternatives, polish some of the more promising ideas and then convert at least



one into a real possibility. If the problem with your boss doesn't work out, your best alternative might be to look for another job. Is it worth calling a recruitment agency to find out what's on their books? If your negotiation with your preferred dealership doesn't go as well as you like, what price could you get that car for from another dealer? Do your research. It makes you strong.

You may need to use

Consequence Confrontation.

What will happen if nothing changes. "Unless we change direction, we're going to end up where we're headed", said the old sage. Where does it look like you're heading? If you are dealing with someone who refuses to budge or won't listen, it may be important to work out what your options are. Is it just 'put up with this? Perhaps you do have other leverage. You may need to point out consequences *they're* not going to like if they keep on going as they are. Careful, though! It's not a threat, don't make it sound like one. You are explaining the inevitable consequences if they refuse to change their behaviour.

And another warning – save consequence confrontation as a last resort. Ask yourself:

Consequence confrontation? Would it help or hinder?

Here's another useful concept when designing options:

Chunking

- breaking down the problem into manageable chunks.

Sometimes you can't solve the whole problem, but you can solve bits of it. When the task is huge, break the problem down into smaller, more controllable chunks. If the whole thing is too overwhelming or unchangeable, work on some part of the problem and just deal with some of the issues. Chunking nibbles around the edges. It doesn't fix it, but it helps and can buy some time or space for things to move on and ease out. It can take you away from a painful stalemate and into something more proactive.



#

My friend James has two children by his first marriage. He doesn't have custody but he still keeps regular and devoted contact with his children. His ex-wife Elizabeth's new husband has been offered an excellent promotion in another city. It seems that the family will move there. James is very upset about losing his close contact with his children. He needed a cooler, clearer head on the issue. So first he asked himself: what are my needs, values, and my priorities? What are my own limits? He also sketched out these for Elizabeth herself, her new husband and the kids.

The problem was just too big and he was powerless to prevent them leaving town. But at least he'd got clear on his own priorities: to be part of their growing up, to offer his guidance and know when it was needed, to have fun with them, and for them to know he was their dad and was continuing to take care of them. This gave him a handle on how he could break down the issue into smaller parts. Some of these priorities he could still attend to even if they did move. He could manage parts of the problem. Here was his action list:

He'd discuss with Elizabeth:

- Plans for school holiday visits, of a decent length.
- Clarify agreements on child support and air fares.
- He also needed the children to know that he continues to provide for them. He pays for their school fees, and uniforms and shoes.



He also decided that he'd:

- Take time off work when the children visit.
- Telephone often. Perhaps start using Facetime with them.
- He'd phone mainly before Elizabeth's new husband comes home. He wanted an easy flow of conversation with them. He didn't want the issue of the children's split loyalties interfering in his own relationship with them.

He hadn't solved the whole problem. But he'd chunked it down into manageable pieces. He'd prepared himself to negotiate on what was important to him. He felt clearer and calmer and he was ready to talk.

#

STAGE 2 IS CHOOSING THE MOST SUITABLE OPTIONS

The creating stage can be bypassed if needs are clearly understood and one solution jumps out as the perfect answer. However, if you have used a brainstorming approach, don't move to choosing options until time is up or a good number of suggestions are on the table. Have you clustered those where they could be part of a whole approach? At the end of brainstorming, you might rate each suggestion; 1. very useful; 2. lacking some elements; 3. Not practicable. This rating step makes sure you re-consider all the suggestions.

Evaluate each option: Is it feasible? Is it enough? Is it fair?



- **Firstly, is it feasible?** How feasible? When can it happen? What resources would it take?

Question it: ‘What if...?’
 ‘How would you feel if...?’
 ‘If ... happened would that help with...?’

- **Is it enough?** Does it solve the problem?
 Does it satisfy everyone’s needs adequately?

Relevant questions might be:

 ‘Is that sufficient to satisfy your need for ...?’
 ‘What will you do if ...?’
 ‘How will you know when it has happened?’

- **Is it fair?** How do you judge if something’s fair?

‘Fair’ often means *equal or balanced*. If you can, find an objective yardstick: equivalent money, time, benefits or workloads might be part of your balancing act. ‘Fair’ might be based on *precedence*, what’s happened before. It may be worth checking out independent evaluations of market price or recent sales.

‘Fair’ might be influenced by *savings*. You could calculate how many hours or how much money this suggestion would save.

‘Fair’ might be judged by your *legal rights*. What does the law say? After a divorce with similar circumstances, what property settlement arrangements are common? If loud music from a nearby nightclub is the problem, how many decibels do the courts say constitute unreasonable disturbance?

‘Fair’ may be what is regarded as *ethical*, though this can be hard to measure, and is culturally specific.

Finding the right independent yardstick can cut through unrealistic expectations and help people feel more satisfied when an agreement is reached – particularly if it’s not totally to their liking.



Relevant questions are: ‘Does that sound fair to you?’
‘Do you think you can live with that?’
‘How would we be able to tell if that is fair?’”

Many other factors will affect the options you choose. Consider the areas of common ground. If you both want better communication, setting diarised meeting dates will give communicating a higher priority.

Consider where your needs dovetail. For example, you need the car at 2 p.m. and they don’t need it until 5 p.m.

Is there some politics involved here? Consider what must be included in the plan for it to be acceptable to the other person. For instance, must they be seen to have a win? Does the plan need to include something that helps them save face?

Is there someone behind the scenes pushing a particular point of view that must be acknowledged? Who’s not in the room? Are there other vital issues, yet to be discussed, that still must be considered?

Even if two plans are substantially the same, you may well use other people’s suggestions if they’re reasonable, because they’re likely to be more enthusiastic about their plan than yours!

#

STAGE 3: ACTING ON THE CHOSEN OPTIONS

This is the time to get clear about the tasks. Nail it down!

By whom? By when? Review when?

Many a great plan fizzles in the execution. Don’t let that happen to plans you’re involved in making. Formally or informally, plan the follow through. What are the steps?

- What are the tasks?
- Who will do what?
- By when does each task need to be done?
- How or when to report back or check in?



Discuss together what each of you will do and draft a schedule. If the solution works for you both and you have arrived at it in partnership, both sides can be reasonably trusted to carry out their part of the plan. Make sure you each understand what you have to do, and plan a specific review time. Put it in your diaries!

#

SUMMARY

Design solutions that build in wins for everyone. Wherever possible, do it together.

STAGE 1: Create Options

- Define the problem in terms of needs.
- Develop options together.
- Brainstorm: • Do not debate • Do not justify • Do not censor
- Be practical. Consider: • Information and its flow • Structures and procedures • Objects and services.
- Design your currencies: what's easy to give and valuable to receive?
- Design your best alternative to a negotiated agreement (BATNA).
- If you can't reach an agreement do the consequences need to be considered by all?
- And lastly, if the problem's too big, chunk it down: break up the issue into smaller, more manageable bits.

STAGE 2: Choose the most suitable options

Evaluate: • Is it feasible? • Is it enough? • Is it fair?

STAGE 3 is Acting on the chosen options

Get clear with each other about the tasks to be undertaken: • By whom? • By when? •

Review when?

You're ready to negotiate!



If you'd like more details on this have a look at our website, Conflict Resolution Network. Our headquarters are at crnhq.org. You can download a transcript and explore more study notes on options. You might find the checklist there helpful if you are dealing with a complex conflict. There's a free manual for trainers there too. For ongoing reference, you can purchase a searchable PDF of the book *Everyone Can Win*. It's the inspiration for this series. If you haven't already done so, you might like to subscribe to these talks on your favourite podcast app.

In this episode we've stimulated the creative juices to develop a wide range of options and possibilities to bring to the negotiation table. Next episode, we sit at that table together. Join us!

Copyright notice:

This transcript in whole or in part may be reproduced if this notice appears:

© The Conflict Resolution Network

Web: www.crnhq.org

Podcasts, transcripts, extra study materials: www.crnhq.org/podcasts

