

Achieving results in negotiating business deals

If you don't know what you want then it is difficult to achieve a result in a negotiation. That is the message from Patricia Barclay who runs an award-winning, Edinburgh-based legal firm, Bonaccord.

Patricia, who has held senior posts around the world with multi-national life science/chemical companies, told Midlothian and East Lothian Chamber of Commerce (above) that businessmen and women must establish detailed and specific goals before starting any negotiation.

They must also consider the goals of the other party and potential alternatives in order to develop a clear negotiation strategy.

Barriers to agreement can include the fear of looking weak and losing face, poor communication and fear of having overlooked something.

Also, unrealistic expectations, and having the wrong people in the room can be a barrier.

Differing priorities and understanding can be a cause of impasse she told her audience at a breakfast meeting in The Mercat, Whitecraigs, near Musselburgh: "You may have to look again at your goals and work out if you are missing the wood for the trees."

It is important, she said, to understand the other party's priorities and to review your assumptions where the other

party is taking a very different position. Are you sure that your assumptions are factually correct?

Ms Barclay, who was the first Scottish solicitor to be awarded a Fellowship from The American Bar Association, added: "A change of environment, change of subject or change of the people can overcome impasse but throughout it is important to build trust.

"Be courteous and professional, make a small, early concession and be consistent in purpose but flexible as to approach.

"Explain the rationale for proposals, listen to the other party and respond fairly."

Ms Barclay, who is listed in the International Who's Who of Commercial Mediation, said it was important not to interrogate the other party but to seek information through open questions while maintaining positive body language.

Meeting logistics were also crucial. Sufficient space in the meeting room, appropriate catering, fresh air and technical support would all support a positive outcome.

It was important to ensure ready access to whatever information might be needed and to give the other party your undivided attention – you can take notes but ensure that you maintain regular eye contact.

She added: "Acknowledging that you understand people and are following their argument is important but this does not mean nodding mindlessly instead ask questions to clarify or restate their point to confirm understanding but avoid talking over someone"

If impasse strikes then she suggested taking a break before trying any of the various techniques she proposed to break the deadlock.

"If in spite of everything deadlock comes, end the meeting

positively and in a friendly manner. You never know when you may meet the same people again.”