

BACKGROUND

Assume you need to have a face to face conversation with someone who is in conflict – either with you or with someone else. How you agree the content and “ground rules” for the discussion can help to avoid misunderstandings and unpleasant surprises and give everyone a feeling of some control. It will also help to make the most productive use of that discussion as a way of moving towards – if not actually achieving - a solution to the problem.

OBJECTIVES OF THE PLAN

You can safely assume that people in conflict approaching a difficult conversation will be nervous, probably defensive, will be looking to avoid blame and attribute negative motivations to the actions of anyone else involved – which could include you. And if you are involved, you may be feeling those things too.

Following the principled negotiation objective of “separating the people from the problem”, the objectives of your plan for the discussion would be

-  to try to introduce an unemotional, almost objective tone to the language used;
-  to deliberately involve the other person in creating the ground rules and agenda; and
-  to use a deliberate mix of conversation and the written word in agreeing the rules and agenda.

CONTROL

Fairly obviously in these interactions, while you may be leading them, you always ask for their thoughts, making it clear that their ideas are as valuable as your own, so they begin to feel that you are enabling them to gain some measure of control over the conflict.

VOICE VS WRITTEN WORD

Many mediators and psychologists will confirm that in times of conflict, balancing the use of direct voice communication and carefully written material can be highly effective.

Voice is good for communicating warmth and empathy – human characteristics that can help to reduce negative emotions and attributions in the listener. Written material – especially an email - is good for communicating information, sometimes in detail, for consideration and response.

So the plan could include

-  an initial conversation (face to face or by phone) which outlines possible objective of the meeting, elements of the arrangements and topics to be discussed; and
-  asks permission to put these in writing for the person to consider and change/ add to.

Invite the other person to respond either by phone or in written form, their choice. When they do respond, try to always respond to them by voice – again to reinforce the human characteristics. Then:

-  If you are content with their comments you can have a hopeful tone to your voice, thanking them and looking forward to a productive meeting
-  If you would like to change some of their ideas, voice will be a more persuasive way of asking them if they would consider some alternatives and would it be OK if you were to send these through in writing for their comment.

Keep doing this until you have agreement on :

ARRANGEMENTS

- ☀ Where and when you are going to meet (is where a suitably neutral location for them?)
- ☀ Who else will be there (if anyone)
- ☀ What their role will be (supporter, facilitator, cook etc)
- ☀ When it starts and finishes

GROUND RULES

- ☀ Ability to stop and take a breather at any time
- ☀ OK to take notes?
- ☀ If notes, who show them to?
- ☀ Who tell about the meeting?

OBJECTIVE

- ☀ To start a dialogue and see where it might lead?
- ☀ Would it be helpful for them to understand your position better
- ☀ To gain a better understanding of what the other would want to happen now?
- ☀ To clear up possible misunderstandings from the last meeting?

TOPICS

- ☀ Could we re-establish some form of communication with
- ☀ Was there anything specific they would like to raise?
- ☀ What they would need to happen next?
- ☀ What would it help you to hear from me / us?
- ☀
- ☀

This may sound a complex and time consuming sequence, but it is likely to be more effective in the end. This is preparation and negotiators and athletes will all tell you the power of effective preparation.

tone of voice

Think about the tone of your voice before you hold the conversation.

Low pitched, gently modulated voices are shown to be the most calming and persuasive – call centers would all employ 35 year old women from the Highlands of Scotland if they could.

Consider also the mind set of the other person – in conflict they will attribute negative motivations to your words and actions, so they will be ultra-sensitive to you sounding patronizing or bossy or dismissive or cold – all the things you would not want to feel were you in their shoes.

Our voices become higher pitched if we are tense and lower pitched and more natural as our vocal chords warm up – why singers practice scales before a performance – so before each conversation, practice out loud what you wish to say. This will both help you to hear the tone of your voice and feel the impact of your words, but also warm the vocal chords.

CAREFUL USE OF LANGUAGE

Meaning is in the mind of the listener – what you meant by using a word will not necessarily be the listener's interpretation, especially if they are attributing negative motivations to everything you do or say.

Also remember you are attempting to inject an almost objective tone to the language being used, so think carefully about some of the phrases you might commonly use, but which might open the way for an emotional and unexpected response.

For example :

☀️ You suggest something and ask “would you feel happy with / like that”.

☀️ The response you get is “I would feel happier / like it better if you jumped off a cliff”.

So you could suggest something and ask:

☀️ I wonder what your thoughts would be on that

☀️ I would welcome your thoughts on this

COMMUNICATION

Some simple definitions:

“the imparting or interchange of thoughts, opinions, or information by speech, writing, or signs.”

In biology:

“activity by one organism that changes or has the potential to change the behaviour of other organisms.”

<http://dictionary.reference.com/browse/communication>

In a mediation you will observe the mediator using questions to generate information. This is intended to give you some of the tools they will be using such that you can create your own flow of information.

CLOSED ENDED QUESTIONS

Have “Yes” or “No” as the only real answers.

“Do you trust this person?”

It generates very little information and tells you nothing about what is uppermost in the recipients mind about either trust or the individual or how they interact.

OPEN ENDED QUESTIONS

Where a Yes/No answer is impossible.

“Would you tell me / help me to understand about the trust in this relationship?”

May take you in directions you never knew existed, but will give you much information about what is important to the recipient, how they see the topic, its place in the world and so on. This generates not only *information* but increases *understanding*.

QUESTION STYLE

The way we ask questions is very important. The more polite, the more the individual is likely to respond on a rational level – so giving you the information you seek. Be careful with “why”- it can be difficult to use without initiating the immediate defensive response “why not” or “because I said so / wanted to etc” – it generates no information for you and may only serve to increase the emotional temperature.

ACTIVE LISTENING

Hearing someone is a biological act we all do unless we're deaf. Listening requires that we process the information we have heard to create *understanding*.

If Open Ended questioning is designed to generate information, then Active Listening is how you show you have understood (you do not necessarily need to have agreed with) what you have listened to. It is based on the simple salesman's premise that you have two ears and one mouth – use them in that proportion!

Active Listening involves two things:

1. Positive body language : lean slightly towards the speaker, engage eye contact, nod occasionally, make the occasional encouraging noise.
2. Responsive Questions/Statements : statements or questions which demonstrate or check your understanding of what they have just said (so showing you have listened, not just heard).

Initially these seem clumsy, but they demonstrate care and politeness and put the recipient in a frame of mind to answer carefully, rather than react emotionally about the questioner rather than the question.

OPEN ENDED QUESTIONS / ACTIVE LISTENING STATEMENTS

ACKNOWLEDGING

☀ That sounds really important to you

AFFIRMATION

☀ Thanks for explaining that so clearly

CHECKING/CLARIFYING

- ☀ Am I right in thinking you said
- ☀ Can I just ask what you meant by
- ☀ Can you explain that a bit more?
- ☀ Can you help me with this? If Then is ...?

INFORMATION GATHERING

- ☀ Can you help me to understand what you think about
- ☀ What is most important to you about
- ☀ Is there anything else?
- ☀ Can you say a bit more about
- ☀ What needs to happen for you to do
- ☀ Any thoughts on how we might move forward?
- ☀ What are you thinking now?
- ☀ Where do you think this is going?
- ☀ If you had a magic wand what would the future look like?
- ☀ What could that (a desired result) look like?
- ☀ What if.....?
- ☀ How is that important to you?

REALITY TESTING

- ☀ If you don't get a settlement today, what happens next?
- ☀ If this is/isn't resolved today, how will you feel tomorrow?

- ☀ If you were doing their job, how would you see this?
- ☀ What would be the effect of that?
- ☀ How do you think they see the situation?
- ☀ What could you live with?
- ☀ What would be a good enough result for you?

SUMMARISING

- ☀ So, if I've got this right, there are three things we need to deal with. First
- ☀ I think this is what you said, but can I check that you said