

# Negotiation Policy

**INTRODUCTION** This Policy relates to negotiations:

- Between Board members,
- Between a Board member or members and the Executive Officer, and
- Between a Board member or members with an external stakeholder or regulator.

**PURPOSE** The Board of Murrumbidgee Landcare Inc is committed to undertaking fair and transparent negotiations, with due consideration of the needs, strengths and weaknesses of all parties involved in the negotiations.

**POLICY** Murrumbidgee Landcare Inc encourages Board members and staff to undertake negotiations in a fair and transparent manner, with appropriate authority to act on behalf of MLI.

All users of this Policy should adhere to the following principles:

- Respect for another's point of view,
- An understanding of cultural influences and impacts, and a respect for the need to adjust negotiation practices accordingly,
- Commitment to a fair and transparent process,
- The confirmation of appropriate authority to act, both in the process of negotiations and the concessions which may be offered to the other party,
- Confidentiality,
- Adherence to all relevant laws (eg misleading and deceptive conduct, unconscionable conduct and unfair contract terms), and
- Maintenance of written documentation of all negotiations.

## **NEGOTIATING WITH DIVERSE STAKEHOLDERS**

Murrumbidgee Landcare Inc respects the diversity of the stakeholders with which we interact, and also the diversity of our own staff, volunteers and Board members.

In all negotiations and associated communications with our diverse stakeholders, Murrumbidgee Landcare is committed to determining and understanding any cultural, language, physical or other needs of either party which may impact on negotiations, and undertaking sufficient adaptations to ensure that no individual or group is unfairly disadvantaged.

Such adaptations may include, but are not limited to:

- Adjustments to the meeting venue or location, to ensure accessibility by all persons
- The use of an interpreter or other assistant to ensure understanding by those from different language or cultural backgrounds, and/or those with hearing or speech conditions
- Modifications to the clothing, seating arrangements and physical interactions of negotiation participants
- Alterations to the timing of meetings to allow for religious or other commitments.

## **PROCEDURE**

1. Prepare written documentation regarding the issue or scenario, and provide this to the Board for review, prior to any negotiations commencing
2. The Chair will use their discretion to determine whether to raise the issue at the next Board meeting, make a decision themselves, or call an extraordinary meeting to discuss the proposed negotiation plan
3. The Board will determine and authorise the appropriate participants from MLI to take part in negotiations. A minimum of two MLI representatives must be present - a Chief Negotiator and an Assistant Negotiator/Secretary. If appropriate, one or more additional representatives may attend as observers, or for input on specific aspects
4. All representatives must declare any potential or actual conflicts of interest. In the event that a conflict of interest exists, the Board will determine whether they should continue their involvement with appropriate interests declared, or be replaced in their role
5. All representatives must adhere to MLI's Code of Conduct and Confidentiality Policy
6. Prior to the commencement of negotiations, the relevant MLI representatives should develop a Negotiation Plan, containing the following details:
  - Location and planned start /end dates of negotiations,
  - An assessment of MLI's objectives, interests, strengths and weaknesses, risks and potential concessions,
  - An assessment of the other party or parties, in terms of their

objectives, interests, strengths and weaknesses, risks and anticipated concessions,

- Definition of MLI's BATNA (Best Alternative to a Negotiated Agreement) and WATNA (Worst Alternative to a Negotiated Agreement)
  - A determination as to whether external technical, legal or other expertise may be required.
7. A Negotiation Protocol must be created, approved by the Board, and signed by all parties before the commencement of negotiations in situations where the negotiation:
- Relates to a significant financial commitment
  - Poses a potential significant risk
  - Involves a party with which concerns exist due to previous conduct.
8. A Negotiation Strategy should be prepared and followed, utilising the information compiled above
9. In the event that negotiations prove lengthy or do not result in an outcome, an alternative should be determined and, if necessary, approved by the Board.

## **RESPONSIBILITIES**

It is the responsibility of the Chair to ensure that:

- All Board members and senior staff are aware of this Policy; and
- Negotiations are handled respectfully, confidentially and in accordance with natural justice.

It is the responsibility of all Board members and staff to adhere to the principles and procedures contained in this Policy.

### **AUTHORISATION:**

This version was approved on:

This version takes effect on:

Authored by:

Mrs Nicole Maher

Authorised by:

# Negotiation Plan

Murrumbidgee Landcare Inc & **XX**



**[Issue under negotiation]**

<i>Name</i>		<i>Value</i>		<i>Date</i>	
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## 1. Negotiation issues and objectives

<i>Position statement of the other party</i>					
	<i>Issues</i>	<i>Interests</i>	<i>Need</i>	<i>Want</i>	<i>Influence (high-med-low)</i>
1.					
2.					

	<i>We know</i>	<i>We don't know</i>
<i>They know</i>	<i>Arena</i> •	<i>Blind spot</i> •
<i>They don't know</i>	<i>Facade</i> •	<i>Unknown</i> •

## 2. Assessment of strengths and weaknesses

<b>Strengths and Weaknesses</b>				
<i>Key criteria</i>	<i>Other party</i>	<i>Mli</i>	<i>Power influence</i>	<i>Strategy to shift / keep</i>
Financial				
Resources				
Political				
Social				
Environmental				

<i>Risk</i>	<i>Contingency Plan</i>