

Demolishing the urban legends of negotiation

By Ian Newall



Urban legend 3:

“Memos of agreement – plus...”

It's taken time and energy to get here. The sales process was long and arduous and the negotiation bruising. Now, finally, you have an agreement. Both sides are smiling and shaking hands, relieved and elated that the deal is struck.

In this spirit of camaraderie the other side offers to draft the agreement for signature at the next meeting. Of course, you agree.

Days pass, then an email arrives. You open the attachment and your heart sinks. This isn't what you agreed! Did they misunderstand? Did you misunderstand? Did they do this deliberately? Whether they are mistakes or misunderstandings you now have to go through the acrimony and embarrassment of correcting them.

Any skilled mediator will tell you that it is best to write up and sign an agreement while the disputing parties are in the room. It isn't a job you put off until tomorrow.

Skilled negotiators know this too. That is why they will strive for clarity in the negotiation by checking throughout that both sides are on the same wavelength.

“Are you saying that you will finish the project by April?”

“When you say £50 a unit, does that include delivery?”

Skilled negotiators also summarise frequently, keeping the negotiation focussed and ensuring common understanding.

In this way what has been agreed should be abundantly clear when it comes to writing up the agreement.

And remember the words of Jim Morrison: *“No one here gets out alive”*. Well, at least not until the agreement is signed!