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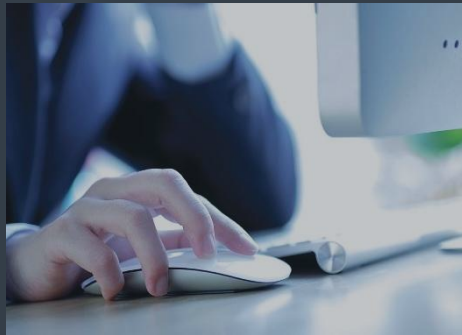
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COMMUNICATION AND NEGOTIATION



16 January 2020

Communication and Negotiation



Summary Profile



Module Leader:

David Hourihan

MSc Pro Invest FSCSI FRICS FHEA

Industry

- Chartered Surveyor and specialist in office agency, retail asset management and valuation.
- 17 years of commercial real estate experience across the UK and Ireland.
- Previous positions with international firms including JLL and Colliers International.
- Acquisition and asset management instructions for clients including Société Générale, Metzler Bank, Mobil Oil, Scottish Widows, Aviva and British Land.

Research

- Member of the Investment Property Forum (IPF) Research Steering Group.

Academia

- Completed MSc in Property Investment at UCEM in 2008.
- Programme Leader for the MSc Real Estate.
- Module Leader for 'Real Estate Investment' module on the MSc RE and BSc REM programmes.

APC

- APC Chairman for the RICS.

COMMUNICATION AND NEGOTIATION

Mandatory Competency

The RICS requirements at Levels 1 and 2

Level 1

Demonstrate knowledge and understanding of effective oral, written, graphic and presentation skills including the methods and techniques that are appropriate to specific situations

Level 2

Provide evidence of practical application of oral, written, graphic and presentation skills that are appropriate in a variety of situations, specifically including where negotiation is involved.

Contents

1. Oral Communications
 1. Phone Calls
 2. Reporting at meetings
 3. Facilitating a meeting
 4. Chairing / running a meeting
 5. Presentations
 6. Contractor / Consultant Interviews
 7. Public speaking at seminars etc.
 8. Listening skills
2. Written / Graphic Communication
 1. Letters
 2. Business Memos
 3. Emails
 4. Report Writing
 5. Programming
 6. Using drawn information
 7. Using CAD documents
 8. BIM

Contents

- 3. Negotiation
 - 1. Preparation
 - 2. Setting Strategy
 - 3. Agreeing the value of an instruction

COMMUNICATION AND NEGOTIATION

Session objectives

- Identify a range of communication methods and techniques and propose situations where their use would be appropriate.
- Explain the principals of effective negotiation.
- Identify practical applications of these skills in a variety of situations specifically including where negotiating is involved.

COMMUNICATION AND NEGOTIATION

Oral Communication

Phone Calls

- Real business relationships are formed in two ways, in person and over the phone.
- First impressions are created by the person answering an incoming call.
- Be prepared, note the points that you wish to cover.
- Be explicit about the reason for the call.
- Listen to responses carefully.
- Take notes from the call, record date and time.
- Know your timeline, keep it short.
- Always return a call.

COMMUNICATION AND NEGOTIATION

Oral Communication

Reporting at meetings

- Prepare thoroughly.
- Be accurate, never guess, if accurate information is not available to you, say so.
- Know your facts.
- Distribute copies of your submission to others at the meeting.
- Maintain eye contact.
- Be brief and to the point.
- Know your strengths and weaknesses, anticipate possible critique and consider your response.
- Remember you are, as a professional, entitled to your opinion.

COMMUNICATION AND NEGOTIATION

Oral Communication

Facilitating a meeting

Meetings:

- provide for collective decision making, planning and follow-up, accountability and democracy.
- are an organising tool.
- are often used badly.
- sometimes discuss the same thing over and over again.
- require democratic and constructive participation.
- must demonstrate a purpose.
- require planning.

COMMUNICATION AND NEGOTIATION

Oral Communications

Chairing / running a meeting

- Draft and distribute an agenda.
- Open the meeting by welcoming attendees with introductions.
- Explain the purpose of the meeting.
- Give apologies.
- Make sure that the minutes of the previous meeting are circulated.
- Discuss matters arising from the previous meeting and current progress with allocated actions.
- It is essential that minutes are recorded accurately, listen, take notes.

COMMUNICATION AND NEGOTIATION

Oral Communications

Chairing / running a meeting (contd.)

- Minutes should include: nature of the meeting, date, time and venue.
- Names of those present including their position or title.
- Apologies.
- Summaries of decisions and discussions.
- Record actions that have been allocated to attendees.
- Date of next meeting.
- Distribution, who else will receive copies of the minutes including the attendees.

COMMUNICATION AND NEGOTIATION

Oral Communications

Presentations

- A presentation is a means of communicating which can be adapted to various speaking situations, such as talking to a group, addressing a meeting or briefing a team.
- It's all about your audience.
- Presentation methods may include an overhead projector, flip chart and of course PowerPoint.
- Preparation is the most important part of making a successful presentation.
- Set out your presentation in a logical sequence.
- What points do you wish to get across.
- How much time do you have.

COMMUNICATION AND NEGOTIATION

Oral Communication

Presentations (contd.)

- Before you start check the computer and lighting.
- Stand to one side of the projector / flip chart.
- Face and speak to your audience and not the screen.
- Approximately 40 words per slide.
- Each slide should last for 3 – 4 minutes.
- Use a large font and don't put everything in upper case.
- Pictures, tables and diagrams are good, where possible.

COMMUNICATION AND NEGOTIATION

Oral Communication

Presentations (contd.)

- 5 – 6 bullets to each slide is enough.
- If you are presenting to a group use 'WE' instead of 'I'.

In summary: dress smartly, don't let your appearance distract from what you are saying. Smile and have an upright posture. Speak clearly and not too quickly. Check that the people at the back can hear you. Use silence to emphasise important points. Manage your time within the allocated slot. Maintain eye contact and look at everyone in the audience over time.

COMMUNICATION AND NEGOTIATION

Oral Communication

Contractor / Consultant Interviews

- Carefully review submissions before the interview.
- Make a list of questions you wish to ask.
- Outline the interview structure.
- Take notes as a record of events.
- You are representing your company, be polite and professional.
- Follow up the meeting with a phone call or email as a matter of courtesy and professional practise.

COMMUNICATION AND NEGOTIATION

Oral Communication

Public speaking at seminars etc.

- Speak with intent to inspire.
- Start your speech with what is known as a 'grabber' a personal story, a quote from an expert or a shocking statistic. Something that takes hold of your audience and gets them hooked.
- Know your material.
- Check the speaking area, microphone and visual aids.
- Use pauses at key points.
- Use your 'grabber' to relax.

COMMUNICATION AND NEGOTIATION

Oral Communication

Listening Skills

- Face the speaker and maintain eye contact.
- Keep an open mind.
- Listen to the words and try to picture what the speaker is saying.
- Don't interrupt and wait for the speaker to pause to ask clarifying questions.
- Ask questions only to ensure understanding.
- Try to feel what the speaker is feeling.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Letters, Memos and Emails

Letters

- Business letters are formal in block format.
- Business letters should be typed using 10 to 12 point font and single line spacing.
- Sender's address on the right.
- Recipient's address on the left.
- Date in the format *day-month-year*, two lines below recipient's address.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Letters, Memos and Emails

Letters (contd.)

- The salutation is your letter's greeting: 'Dear Sir', 'Dear Mr or Mrs Smith'.
- The salutation is set on the left, two lines below the date.
- One line below the salutation, a formal business letter can include a reference or a subject title or a contract name etc. in bold font.

The body of the letter in block format should start with an introduction stating the purpose of your writing followed by an elaboration of the points you wish to raise.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Letters, Memos and Emails

Letters (contd.)

- The closing is your final sign off, set on the left, two lines below your final paragraph.
- ‘Yours faithfully’ if the salutation is ‘Dear Sir or Madam’.
- ‘Yours sincerely’ if the salutation is ‘Dear Mr or Mrs Smith’.

COMMUNICATION AND NEGOTIATION

R G Carter Ltd

Drayton House

Barton Road

Comberton

CB23 7BN

12 March 2018

UCEM,

Horizons,

60 Queens Road,

Reading,

RG1 4BS

Dear Sirs,

Student Accommodation, Halls Road, Cambridge

With reference to your letter dated XXX

Yours faithfully

John Smith

Building Surveyor

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Letters, Memos and Emails

Business Memos

- Think of your readers and their needs.
- Be specific when making your points.
- Make your subject line short and descriptive.
- Use bullets or numbers to clarify your points.
- Cover only a single subject.
- Short and concise, one page only.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Letters, Memos and Emails

Emails

Today we use emails to stay in touch when we are travelling or working from home. We not only send emails using laptops, but also tablets and smart phones. We not only use emails to communicate with friends and family but, of course, with business clients, employers and colleagues. A handshake and eye contact say something about you when you meet someone in person and your approach in drafting an email equally gives an impression as well.

Consider the following important points when drafting an email:

- Business messages typed with our thumbs on a mobile phone often contain errors and appear abrupt which may destroy any personal rapport that has been developed with the recipient.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Letters, Memos and Emails

Emails (contd.)

- Careless emails, particularly if you slander someone (make a false and malicious statement about a person) could generate court proceedings.
- An email is never completely private. Statements you made could come back to haunt you.
- Emails can be used as legal evidence.
- Email passwords can be stolen.
- Email messages are monitored by your IT department.
- Emails require correct which punctuation maintains meaning and focus.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Letters, Memos and Emails

Emails (contd.)

- Violating company policies may cost you your job.
- Careless and sloppy emails can tarnish your reputation.
- Remember the KISS principle; **K**eeP, **I**t, **S**hort and, **S**imple.

When drafting an email we only have bare facts, without tone of voice, facial expressions, body language, or pauses. It is prudent to use writing that is as close as possible to spoken language. This will put your personality and individuality into your message. This will help you stand out and make a greater connection.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Report Writing

A report is written for a clear purpose and to a particular audience. Specific information and evidence are presented, analysed and applied to a particular problem or issue. The information is presented in a clearly structured format making use of sections and headings so that the information is easy to locate and follow.

An effective report presents and analyses facts and evidence that are relevant to the specific problem or issue of the report brief. All sources used should be acknowledged and referenced throughout, in accordance with the preferred method of your department or company.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Report Writing (contd.)

Report structure

- **Title Page:** Single page stating the title of the report, the name of the author and the date of the report.
- **Abstract / Executive Summary:** A short summary written last but included at the front of the report – outlining the nature and findings / recommendations of the report.
- **Client's Brief or Terms of Reference:** State what the purpose, the objective and the proposed use of the report. State who the client is and their business activity.
- **Table of Contents:** As required.

COMMUNICATION AND NEGATIATION

Written / Graphic Communication

Report Writing (contd.)

Report Structure (contd.)

- **Introduction:** State what the report is going to achieve. What are the issues, what are your data sources and (most importantly) what the report is not attempting to address.
- **The Author:** A brief autobiography of the author's experience and qualifications.
- **Methods:** May include: a list of equipment used, explanations of procedures followed, sources of relevant information.
- **Chapters / Sections:** As required.
- **Summary / Recommendations:** As required.
- **References / Bibliography:** As required.

COMMUNICATION AND NEGATIATION

Written / Graphic Communication

Report Writing (contd.)

Report Structure (contd.)

- **Acknowledgements:** Where appropriate, acknowledge assistance of particular organisations or individuals.
- **Glossary of Technical Terms:** Provide an alphabetical list of technical terms with a brief, clear description of each term.
- **Appendices:** As required.

Style of the report: Use a hierarchy of headings; **SECTION**, **MAIN HEADING**, **Sub Heading**, Minor Heading. Use paragraph numbering; 1.0, 1.1, 1.1.1 or using letters; A, a, a (i) etc.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Programming

Oracle Primavera, Asta Powerproject and Microsoft Project are all recognised construction programming / scheduling software packages. They all require specialist training for meaningful use which is beyond the scope of this workshop.

However, as a candidate chartered surveyor you should be aware of the existence of this specialised software but not necessarily have the specialist skills required for its use.

Simple programmes can be drafted using Microsoft Excel with operations inserted vertically on the left and a date / timeline indicated horizontally along the top of the sheet.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Using drawn information – checking scales and revisions

- Drawn information usually consists of; plans, elevations, sections and details.
- Check that the title block matches the draw information.
- Note the date of issue and the date of the latest revision to establish that the drawn information is current.
- Check the scale by using a scale rule against a dimension indicated on the drawing.
- Prepare a drawing schedule that records the issue of drawings considered to be current for the project.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Using CAD Documents

CAD (Computer Aided Design) is the use of computer software to design and document a design process. CAD is used to produce preliminary design and layouts, design details and calculations, creating 3-D models, creating and releasing drawings, as well as interfacing with analysis, marketing, manufacturing and end-user personnel.

CAD software enables:

- Efficiency in the quality of design.
- Increase in the Engineer's productivity.
- Improved record keeping through better documentation and communication

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Using CAD Documents (contd.)

The use of AutoCad requires the following from your computer:

- 2 GB RAM
- 2 GB of space for installation
- Screen resolution of 1,024 x 768

Internet Explorer 7.0 or higher

Drawings are saved to files and can be accessed and printed as with other written and graphic software.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

Building Information Modelling (BIM)

BIM is a process involving the generation and management of digital representations of physical and functional characteristics of a facility. BIMs are files which can be extracted, exchanged or networked to support decision making regarding a building or other built asset. Current BIM software is used by individuals, businesses and government agencies who plan, design, construct, operate and maintain diverse physical infrastructures such as water, refuse, electricity, gas, communication utilities, roads, bridges, ports, tunnels etc.

For the professional involved in a project, BIM enables a virtual information model to be handed from the design team (architects, landscape architects, surveyors, civil, structural and building services engineers) to the main contractor and subcontractors and then on to the owner / operator. Each professional adds discipline-specific data to a single shared model.

COMMUNICATION AND NEGOTIATION

Written / Graphic Communication

BIM (contd.)

Building Information modelling is a core part of the government's construction strategy. The fundamental idea behind BIM is to create the right information at the right time throughout the design, construction and operation of a building or facility, in order to improve efficiency and decision making. The emphasis is on collaboration working between the various parties involved throughout the lifecycle of an asset.

The various levels of BIM include the following:

- Level 0: 2D CAD with no collaboration.
- Level 1: 2D or 3D CAD with no collaboration.
- Level 2: 3D CAD with collaboration and information exchanges between parties, but not via a single, shared model.
- Level 3: Full collaboration between parties, working on a single shared model.

COMMUNICATION AND NEGOTIATION

Negotiation

Increasingly, business recognises that the most effective negotiators are skilled at both creating value and claiming value, that is they both collaborate and compete. The ability to negotiate requires a collection of interpersonal and communication skills used together to bring a desired result.

Establishing Authority

Ensure that you have the authority to negotiate and make agreements on behalf of your employer etc. Similarly ensure that the other party also has the authority to negotiate and make agreements.

Establishing Objectives

Effective negotiation requires the skills to analyse a problem to determine the interests of each party in the negotiation. A detailed problem analysis identifies the issue, the interested parties and the outcome goals.

COMMUNICATION AND NEGOTIATION

Negotiation (contd.)

Preparation

Preparation includes determining goals, areas for trade and concession and alternatives to the stated goals. A careful critique of the other parties' position, the accuracy of their assertions, the credibility of their submissions. Particularly regarding construction; a claim, a variation account, a final account. The ability to undermine the other party by identifying errors and mistakes in their position will serve to generate concessions. For example incorrect interpretation of contract clauses, inappropriate methods of valuation, incorrect rates, errors of measurement, lack of instructions etc.

Your own position must also be analysed and understood for strengths and weaknesses. A study of the history of relationships between the two parties and past negotiations may reveal areas of agreement and common goals. Past precedents and outcomes can set the tone for current negotiations.

COMMUNICATION AND NEGOTIATION

Negotiation (contd.)

Setting a Strategy

In negotiation theory, **the best alternative to a negotiated agreement (BATNA)** is defined as the most advantageous alternative course of action a party can take if the negotiations fail and an agreement cannot be reached.

BATNA is often seen by negotiators not as a safety net, but rather a point of leverage in negotiations. BATNA will give a negotiator comfort and confidence whilst progressing the negotiation in the knowledge that real options have been carefully and accurately valued and are actionable. Regarding construction, other methods of alternative dispute resolution may be an option. BATNA can also be your trump card to make a deal happen.

COMMUNICATION AND NEGOTIATION

Negotiation (contd.)

Other points of guidance:

- Always be prepared to concede, negotiated settlements are rarely 'win/win'.
- Active listening, involves the ability to read body language as well as verbal communication. It is important to listen to the other party to find areas for compromise during the meeting. By allowing the other party to explain and expand their position, often flaws in their argument will appear.
- The need to keep emotions in check and frustrations under control during the negotiation is essential. Loss of control can destroy the credibility of your position and personal standing when seeking to convince the other party for the validity of your case.

COMMUNICATION AND NEGOTIATION

Negotiation (contd.)

- Communicate clearly and effectively to the other side during the negotiation. Misunderstandings can occur if the negotiator does not state a case clearly including desired outcomes supported by credible reasoning.
- Collaboration means both sides working together to reach an agreeable solution. The skill to develop and foster a collaborative atmosphere during negotiations will break down barriers and avoid entrenched positions.
- Decision making is an important aspect of negotiation and the ability to act decisively to agree a compromise quickly and avoid a stalemate.

COMMUNICATION AND NEGOTIATION

Negotiation (contd.)

Agreeing the value of an instruction

The following points are fundamental when submitting or agreeing the value of an instruction:

- The contract must establish entitlement to a variation.
- The instruction must be issued by a representative who has authority under the contract to issue instructions.
- The instruction must be issued in a form set out in the contract: verbal to be confirmed as required by the contract, in writing or by the issue of a drawing.
- The instruction must be valued in accordance with the valuation rules set out in the contract.

COMMUNICATION AND NEGOTIATION

Exercise

Play and discuss (25 mins of Video, 10 mins of discussion)

4 Principles of Negotiation

<https://www.youtube.com/watch?v=RfTaIFEEKKE>

Negotiation Mistakes

<https://www.youtube.com/watch?v=BldEUM1Ha94>

Negotiation Tactics

<https://www.youtube.com/watch?v=lp4r0Q8Pj7Q>

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Thank You !