



**Australian Government**

**Department of Education, Employment and Workplace Relations**

# **PSPGOV507A Undertake negotiations**

**Revision Number: 3**

## PSPGOV507A Undertake negotiations

### Modification History

Release	TP Version	Comments
3	PSP12V1	Unit descriptor edited.
2	PSP04V4.2	Layout adjusted. No changes to content.
1	PSP04V4.1	Primary release.

### Unit Descriptor

This unit covers negotiations as an individual or as a member of a negotiating team. It includes planning for the negotiation, conducting the negotiation and finalising the outcome. In practice, negotiations may overlap with other generalist or specialist public sector work activities such as acting ethically, complying with legislation, providing leadership, undertaking research and analysis, initiating projects, performing quasi-judicial functions, etc. No licensing, legislative, regulatory or certification requirements apply to this unit at the time of publication

### Application of the Unit

Not applicable.

### Licensing/Regulatory Information

Not applicable.

### Pre-Requisites

Not applicable.

### Employability Skills Information

This unit contains employability skills.

## Elements and Performance Criteria Pre-Content

Elements are the essential outcomes of the unit of competency. Together, performance criteria specify the requirements for competent performance. Text in *bold italics* is explained in the Range Statement following.

## Elements and Performance Criteria

### ELEMENT

### PERFORMANCE CRITERIA

- |   |   |
|---|---|
| <b>1. Plan for negotiation</b>          | <p>1.1 The <i>purpose of the negotiation</i> and the issue/s under consideration are clarified with affected personnel and through analysis of all related documentation/information.</p> <p>1.2 Primary needs and desired outcomes of all parties are identified.</p> <p>1.3 The organisation's position is determined in consultation with senior personnel, and a <i>negotiating approach</i> is devised based on an analysis of the strengths and weaknesses of the position.</p> <p>1.4 <i>Information relating to the negotiation</i>, including any precedents, is collected, analysed and organised to support the negotiating approach.</p> <p>1.5 Timeframe and logistics are agreed and a <i>negotiation plan</i> is developed in accordance with legislation, policy and procedures, and communicated to other staff, if any, involved in the negotiation team.</p> |
| <b>2. Conduct negotiation</b>           | <p>2.1 The issue/s under consideration and the negotiation process to be used are agreed by all parties and documented in accordance with legislation, policy and procedures.</p> <p>2.2 <i>Negotiating techniques</i> are used to persuade the other party of the strength of the argument in favour of the organisation's position.</p> <p>2.3 The negotiation plan is modified if necessary to respond to <i>contingencies</i>.</p> <p>2.4 <i>Techniques</i> for dealing with conflict or deadlocks are selected and used in accordance with the negotiation plan and the progress of the negotiation.</p> <p>2.5 Options for resolving the issue are discussed and the acceptability of these to the parties is determined.</p>   |
| <b>3. Finalise negotiation outcomes</b> | <p>3.1 An agreed conclusion is reached, documented and signed-off by the parties.</p> <p>3.2 Negotiation outcomes are reported in accordance with organisational policy and procedures and <i>stakeholders</i> are debriefed if required.</p> <p>3.3 Any further action required as a result of agreement is determined and undertaken in accordance with organisational requirements.</p> <p>3.4 The negotiation process and outcomes are reviewed, and lessons learnt are documented for future use in accordance with organisational recordkeeping practices.</p>  |

## Required Skills and Knowledge

This section describes the essential skills and knowledge and their level, required for this unit.

### Skill requirements

Look for evidence that confirms skills in:

- applying legislation, regulations and policies relating to negotiating in the public sector
- communicating with diverse stakeholders such as the other party, team members, senior management, including listening, questioning, establishing rapport, responding, etc
- applying decision making and problem solving
- adjusting quickly to new information or unexpected questions and attitudes
- report writing
- responding to diversity, including gender and disability
- applying procedures relating to occupational health and safety and environment in the context of negotiations

### Knowledge requirements

Look for evidence that confirms knowledge and understanding of:

- legislation, regulations, policies, procedures and guidelines relating to negotiations in the public sector, such as freedom of information, privacy, equal employment opportunity
- sources of organisational information
- delegations and lines of authority
- decision making
- negotiation techniques
- conflict resolution
- recordkeeping requirements for negotiations
- equal employment opportunity, equity and diversity principles

## Evidence Guide

The Evidence Guide specifies the evidence required to demonstrate achievement in the unit of competency as a whole. It must be read in conjunction with the Unit descriptor, Performance Criteria, the Range Statement and the Assessment Guidelines for the Public Sector Training Package.

### Units to be assessed together

- *Pre-requisite* units that must be achieved prior to this unit: *Nil*
- *Co-requisite* units that must be assessed with this unit: *Nil*
- *Co-assessed units* that may be assessed with this unit to increase the efficiency and realism of the assessment process include, but are not limited to:
  - PSPCRT506A Perform quasi-judicial functions
  - PSPETHC501B Promote the values and ethos of public service
  - PSPGOV504B Undertake research and analysis
  - PSPGOV505A Promote diversity
  - PSPGOV508A Manage conflict
  - PSPGOV511A Provide leadership
  - PSPGOV512A Use complex workplace communication strategies
  - PSPLEGN501B Promote compliance with legislation in the public sector
  - PSPOHS501A Monitor and maintain workplace safety
  - PSPPM501B Design complex projects
  - PSPPROC502A Establish contract management arrangements

### Overview of evidence requirements

In addition to integrated demonstration of the elements and their related performance criteria, look for evidence that confirms:

- the knowledge requirements of this unit
- the skill requirements of this unit
- application of Employability Skills as they relate to this unit
- negotiations undertaken in a range of (3 or more) contexts (or occasions, over time)

### Resources required to carry out assessment

These resources include:

- legislation, policy, procedures and protocols relating to negotiation, including freedom of information, privacy, equal employment opportunity, anti-discrimination, occupational health and safety
- case studies and workplace scenarios to capture the range of negotiation situations likely to be encountered as an individual or as a team member

**Where and how to assess evidence**

Valid assessment of this unit requires:

- a workplace environment or one that closely resembles normal work practice and replicates the range of conditions likely to be encountered when undertaking negotiations, including coping with difficulties, irregularities and breakdowns in routine
- negotiations undertaken in a range of (3 or more) contexts (or occasions, over time).

Assessment methods should reflect workplace demands, such as literacy, and the needs of particular groups, such as:

- people with disabilities
- people from culturally and linguistically diverse backgrounds
- Aboriginal and Torres Strait Islander people
- women
- young people
- older people
- people in rural and remote locations.

Assessment methods suitable for valid and reliable assessment of this competency may include, but are not limited to, a combination of 2 or more of:

- demonstration
- observation
- portfolios
- questioning
- scenarios
- simulation or role plays
- authenticated evidence from the workplace and/or training courses

**For consistency of assessment**

Evidence must be gathered over time in a range of contexts to ensure the person can achieve the unit outcome and apply the competency in different situations or environments

## Range Statement

<p>The Range Statement provides information about the context in which the unit of competency is carried out. The variables cater for differences between States and Territories and the Commonwealth, and between organisations and workplaces. They allow for different work requirements, work practices and knowledge. The Range Statement also provides a focus for assessment. It relates to the unit as a whole. Text in <b><i>bold italics</i></b> in the Performance Criteria is explained here.</p>	
<p><b><i>Purpose of negotiation</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• required outcomes</li> <li>• other possible outcomes</li> <li>• organisational priorities</li> <li>• consequences of negotiation failing</li> </ul>
<p><b><i>Negotiating approach</i></b> may be:</p>	<ul style="list-style-type: none"> <li>• consultative</li> <li>• collaborative</li> <li>• competitive</li> <li>• confrontational</li> <li>• soft</li> <li>• passive</li> </ul>
<p><b><i>Information relating to the negotiation</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• background to the dispute/issues under consideration</li> <li>• background information on the parties</li> <li>• organisational information</li> <li>• legislative requirements</li> <li>• organisational policy and procedures</li> <li>• material to support bargaining position</li> <li>• precedents</li> </ul>
<p><b><i>Negotiation plan</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• roles and responsibilities of negotiation team members, if any</li> <li>• identification of team leader</li> <li>• timing</li> <li>• logistics</li> <li>• key facts</li> <li>• tactics</li> <li>• personal strengths and weaknesses</li> <li>• techniques to be used for negotiating, breaking deadlocks, dealing with conflict</li> <li>• fallback position</li> <li>• areas where compromise is possible</li> <li>• process management strategies</li> <li>• alternative dispute resolution processes</li> </ul>
<p><b><i>Negotiation techniques</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• speaking skills</li> <li>• presentation techniques</li> <li>• effective listening</li> <li>• questioning techniques</li> </ul>



	<ul style="list-style-type: none"> <li>• verbal and non-verbal communication</li> <li>• using personal attributes</li> <li>• culturally and linguistically appropriate strategies</li> <li>• constructive feedback</li> <li>• issues identification</li> <li>• exploring options</li> <li>• identifying areas of agreement</li> <li>• recording agreements</li> </ul>
<i>Contingencies</i> may include:	<ul style="list-style-type: none"> <li>• changed circumstances</li> <li>• changed tactics</li> <li>• changed agenda</li> <li>• new information</li> <li>• decision to withdraw</li> </ul>
<i>Techniques</i> for breaking deadlocks may include:	<ul style="list-style-type: none"> <li>• clarifying</li> <li>• restating position</li> <li>• summarising progress</li> <li>• deferring decision</li> <li>• preparing a compromise</li> <li>• using a mediator/third party</li> </ul>
<i>Stakeholders</i> may include:	<ul style="list-style-type: none"> <li>• management</li> <li>• union</li> <li>• colleagues/other staff</li> <li>• clients</li> <li>• public</li> </ul>

## Unit Sector(s)

Not applicable.

## Competency field

Working in Government