



**Australian Government**

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

# **LGADMIN421A Participate in negotiations**

**Release 2**

## **LGADMIN421A Participate in negotiations**

### **Modification History**

LGADMIN421A Release 2: Layout adjusted.

LGADMIN421A Release 1: Primary release.

### **Unit Descriptor**

This unit covers participating in negotiations either as an individual or as a member of a team. It includes effective negotiation techniques, planning and preparing for negotiation and finalising the agreement. The unit is suitable for those working as team leaders or managers or those dealing extensively with the community or other external stakeholders.

### **Application of the Unit**

This unit supports the attainment of skills and knowledge required for competent workplace performance in councils of all sizes. Knowledge of the legislation and regulations within which councils must operate is essential. The unique nature of councils, as a tier of government directed by elected members and reflecting the needs of local communities, must be appropriately reflected.

### **Licensing/Regulatory Information**

Not applicable.

### **Pre-Requisites**

Not applicable.

### **Employability Skills Information**

This unit contains employability skills.

## Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a Unit of Competency

Performance criteria describe the required performance needed to demonstrate achievement of the element. Where ***bold italicised*** text is used, further information is detailed in the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

## Elements and Performance Criteria

| ELEMENT                                   | PERFORMANCE CRITERIA   |
|---|--|
| <b>1. Plan the negotiation</b>            | <p>1.1 <i>Purpose of the negotiation</i> is clarified and the desired outcomes of all parties are considered.</p> <p>1.2 Approach to be taken is determined based on analysis of the strength and weakness of the position and the most appropriate <i>negotiating style</i>.</p> <p>1.3 All <i>information relevant to the negotiation</i> is collected, analysed and organised to support the selected approach.</p> <p>1.4 <i>Negotiation plan</i> is developed in accordance with organisational procedures and legislative requirements.</p> <p>1.5 Plan is communicated to team leader and other staff assisting in the negotiation.</p> |
| <b>2. Conduct the negotiation</b>         | <p>2.1 Issues and processes are documented and agreed upon by all parties.</p> <p>2.2 <i>Effective negotiation techniques</i> are used to persuade and convince other party of the strength of the argument put forward.</p> <p>2.3 Plan is adapted where required to respond to <i>changed circumstances</i>.</p> <p>2.4 <i>Appropriate techniques</i> are selected to deal with conflicts and break deadlocks.</p> <p>2.5 Possible solutions are discussed and their viability assessed.</p> <p>2.6 Agreed position is confirmed.</p>  |
| <b>3. Participate in mediation forums</b> | <p>3.1 Mediation is planned in accordance with organisational procedures and legislative requirements.</p> <p>3.2 Background information is sought from all parties to facilitate mediation process.</p> <p>3.3 Mediation is conducted in a manner that facilitates open communication.</p> <p>3.4 Appropriate <i>mediation techniques</i> and questioning are used to encourage parties to explore and reflect on issues.</p> <p>3.5 Appropriate techniques are selected to deal with conflicts and break deadlocks.</p> <p>3.6 Assertive communication is used to reach a solution.</p>  |
| <b>4. Finalise the outcome</b>            | <p>4.1 Debriefing and reporting of negotiation outcomes is provided to appropriate <i>stakeholders</i>.</p> <p>4.2 <i>Agreement</i> is confirmed and accurately documented in accordance with organisational procedures.</p> <p>4.3 Outcome of the negotiation is evaluated and further action to be taken is determined, if required.</p>   |

## **Required Skills and Knowledge**

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

### **Required Skills**

- problem-solving strategies to know how to deal with unexpected questions or attitudes
- interpersonal skills to develop rapport with other parties to the conflict
- communication skills to come to an effective agreed outcome
- negotiation skills to negotiate difficult situations and resolve problems as they arise
- flexibility to adjust quickly to differing situations
- empathy to develop rapport and understanding with and for the other party
- evaluation of strategies to prepare negotiation plan
- conflict management skills
- report writing skills
- ability to relate to people from a range of social, cultural and ethnic backgrounds and with a range of physical and mental abilities

### **Required Knowledge**

- legislative and/or other legal provisions
- sources of information
- organisational policies and procedures for negotiations
- decision making and conflict resolution strategies
- recording and reporting procedures
- organisational goals
- understanding of the concept of diversity
- range of evaluation methodologies

## Evidence Guide

### Overview of assessment requirements

A person who demonstrates competency in this unit will be able to perform the outcomes described in the Elements to the required performance level detailed in the Performance Criteria. The knowledge and skill requirements described in the Range Statement must also be demonstrated. For example, knowledge of the legislative framework and safe work practices that underpin the performance of the unit are also required to be demonstrated.

### Critical aspects of evidence to be considered

The demonstrated ability to:

- interpret accurately and comply with legal and procedural requirements
- analyse all relevant information and document a negotiation plan that complies with organisational procedures and relevant legislative requirements
- conduct a range of negotiations using a variety of techniques to reach predetermined organisational outcomes
- conduct a range of mediation forums using a variety of techniques to reach an agreed solution
- develop and document in a well-organised manner negotiation outcomes that address the requirements of the organisation and clearly identify areas for further required action.

### Context of assessment

Competency is demonstrated by performance of all stated criteria, with particular attention to the critical aspects and the knowledge and skills elaborated in the Evidence Guide, and within the scope of the Range Statement. Assessment must take account of the endorsed Assessment Guidelines in the Local Government Training Package. Assessment of performance requirements in this unit should be undertaken in an actual workplace or simulated environment. Assessment should reinforce the integration of the key competencies for the particular AQF level. Refer to the key competency levels at the end of this unit.

### Relationship to other units (prerequisite or co-requisite units)

To enable holistic assessment this unit may be assessed with other units that form part of the job role.

### Method of assessment

The following assessment methods are suggested:

- observation of the learner performing a range of workplace tasks over sufficient time to demonstrate handling of a range of contingencies
- written and/or oral questioning to assess knowledge and

|  |   |
|--|---|
|  | <p>understanding</p> <ul style="list-style-type: none"><li>• completion of workplace documentation</li><li>• third-party reports from experienced practitioners</li><li>• completion of self-paced learning materials including personal reflection and feedback from trainer, coach or supervisor.</li></ul> |
| <b>Evidence required for demonstration of consistent performance</b> | Evidence should be collected over a set period of time that is sufficient to include dealings with an appropriate range and variety of formal and informal situations, involving different types of problems and clients.   |
| <b>Resource implications</b>   | The learner and trainer should have access to appropriate documentation and resources normally used in the workplace.   |

## Range Statement

The Range Statement relates to the Unit of Competency as a whole. It allows for different work environments and situations that may affect performance. ***Bold italicised*** wording in the Performance Criteria is detailed below.

|  |   |
|--|---|
| <b><i>Purpose of the negotiation</i></b> may include:              | <ul style="list-style-type: none"> <li>• content</li> <li>• desired outcomes</li> <li>• consequences of not reaching agreement</li> <li>• other alternatives</li> </ul>   |
| <b><i>Negotiating style</i></b> may include:                       | <ul style="list-style-type: none"> <li>• collaborative</li> <li>• competitive</li> <li>• subordinate</li> </ul>   |
| <b><i>Information relevant to the negotiation</i></b> may include: | <ul style="list-style-type: none"> <li>• background on other parties in the negotiation</li> <li>• understanding of the topic to be negotiated</li> <li>• clear understanding of desired outcomes</li> <li>• history of the dispute</li> <li>• knowledge of the organisation</li> <li>• precedents</li> <li>• processes and procedures</li> <li>• legislative requirements</li> <li>• bargaining information</li> </ul> |
| <b><i>The negotiation plan</i></b> may include:                    | <ul style="list-style-type: none"> <li>• tactics</li> <li>• timing</li> <li>• presentation documentation</li> <li>• facts relevant to the dispute</li> <li>• non-verbal environments</li> <li>• personal attributes</li> <li>• strategies to manage process</li> <li>• strategies to manage conflict</li> <li>• internal or external organisational options for resolving conflict</li> </ul>                           |
| <b><i>Effective negotiation techniques</i></b> may include:        | <ul style="list-style-type: none"> <li>• presentation techniques</li> <li>• speaking skills</li> <li>• listening techniques</li> <li>• questioning techniques</li> <li>• personal attributes</li> <li>• non-verbal communication skills</li> <li>• analytical skills</li> </ul>   |
| <b><i>Changed circumstances</i></b> may include:                   | <ul style="list-style-type: none"> <li>• decision to alter tactics</li> <li>• decision to withdraw</li> <li>• changed agenda</li> <li>• new information</li> </ul>  |



- Appropriate techniques*** for breaking deadlocks may include:
- restating the position
  - clarifying the positions of both parties
  - deferring the decision
  - summarising the progress to date
  - calling in a third party
  - preparing a compromise
- Mediation techniques*** may include:
- demonstrating empathy
  - using appropriate body language
  - reflecting, summarising and paraphrasing
  - asking open-ended questions
  - active listening
- Stakeholders*** may include:
- management
  - colleagues
  - clients
  - relevant union officials
- Agreement*** may include:
- follow up action
  - issues or undertakings to be completed, allocated or referred
  - time line

## Unit Sector(s)

Administration