

Negotiating with businesses: how to build win-win situations

We've been taught by previous experience (and a lot of TV) that negotiating is a zero-sum game: for you to win, the business has to lose, and vice versa. This is absolutely the wrong attitude.

Treating a negotiation as zero-sum is guaranteed to make the process combative. Even a mildly combative process limits your options. It immediately puts people in an "us vs them" mindset. [This mindset is difficult to get out of - even with the best intentions - and has a pervasive negative effect on discussion.](#) Avoiding it should be a key principle of any negotiator. If you become needlessly combative you might end up on the "winning" side of zero-sum; you'll just never know what other opportunities you squandered by forcing the other side into a reductive mentality.

Remember, this IS a negotiation. Compromise is necessary. A negotiation can still be win-win even if you don't get absolutely everything you want.

Getting started:



"I'm excited to start work and I'm sure we can work out a contract we're both really happy with."

"I do have some specific needs but I'm confident that they won't be disruptive to the business and will help me maximize efficiency."

"I'm really pleased with this offer, there are just a couple of minor points I'd like to clarify."



"Here's the list of things that I can't compromise on."

Consider your elevated position

If you got your first job at fifteen waiting tables or washing up you probably couldn't negotiate your salary. Even your first "proper" job probably had an entry-level salary that wasn't up for debate. These experiences can have a lasting effect on people's self-perception - but those experiences are long past. The days of you being a powerless peon are over. This business wants YOU to work for them, otherwise someone else would be in the situation you're in now. You are negotiating from a position of strength. Maybe not *equal* strength, but you both have something the other side wants.



"There are a couple of things I'd like to discuss further; I think I can bring a lot to this role so I want to be as confident as possible in this agreement."



"I really hope you'll agree to this."

Never give away your hand

Information is power. It's unwise to give all yours away without receiving something equal in return. Wait until the negotiation has begun before you start telling them what you want, and don't let them postpone the negotiation without learning the same about them.

It's worth doing some homework to make sure you're talking to the decision-maker in your case. If you're not, it's perfectly reasonable to ask to do so before you begin. Don't take no for an answer on this. **If the decision-maker refuses to talk with you for whatever reason, or their intermediary refuses to pass on the message, this is a red flag.**



"Will you be the one making the final decision on this?"

"Do you mind if we get this step completely agreed before we move onto the next one?"



"I can send you a list of my needs if that would be helpful."

"OK, before we begin I'd like to lay it all out for you..."

What do you really want, what can you really give?

Before the negotiation begins you should have determined your “walkaway” points: the salary/needs that you absolutely will not go below under any circumstances (don’t communicate these to the business unless you have to). Do some research to discover the industry brackets for your role (we’ve collected what we know about average salaries for the roles we specialise in later on in this article) and decide what you think is the plausible maximum to ask for. Now you have a window within which to operate.

You should also prepare your arguments ahead of time. We’ll talk about this more in the specific salary and flexible needs sections, but as a general rule you should be prepared to explain what you need/why their offer doesn’t work for you, and have a counter offer that you’re confident about, preferably with experience or statistics to back it up.



“Market average for this role is about £X; I think my suggested counter-offer is reasonable because...”



“In my previous role I was paid £X so I want to improve on that.”

You must lead the conversation

Negotiating isn’t heaps of fun. You probably won’t enjoy it. So it might be tempting to be passive... you should avoid this temptation. You must lead the conversation - if you don’t you’ll be constantly reacting rather than choosing. It’s difficult to convey your value and be confident in your negotiating when you’re constantly on the back foot.



“Now that’s decided, shall we move onto the next part of the contract?”

“I wanted to discuss X point in particular.”

“It’s important to me that X is part of our agreement. What are your thoughts on that?”



...nods quietly in agreement.

It's up to the person that moved the goalposts to explain why

If anything in their offering has changed (perhaps from the original job spec or something that was discussed during interviews) then it's their responsibility to explain why. **Failure to adequately do so is a red flag.**

This goes for you too, however. If you've made changes to your needs then you should explain them.



"In the interview we discussed X which is now Y. I just wanted to clarify why this has been changed/why it was necessary for me to make this change."

"I was hoping we could talk about this particular amendment to the job spec."



"As long as it's basically the same as we discussed I'm fine."

"I don't mind."

Put people on the spot (awkward silences are fine)

Don't let anyone get away without answering your questions. A simple and non-combative "I'm curious as to why..." is all it takes to get the issue out in the open, and putting people on the spot is the only way to really find out what they mean/why they've said something. You're looking for authentic reactions, and sometimes that means being diligent in chasing an answer. Again, avoid being confrontational wherever possible.

It's also important not to be afraid of the awkward silence. [Any therapist will tell you that there is value in silence](#), and the very fact that we find prolonged silence to be "awkward" is telling. If you have asked a question and it is their "turn" to respond, don't make life easy for them by filling the gap. Wait them out - wait for your answer. If they change the subject, gently return to it. **Flat-out refusal to answer a question is a red flag.**



"I do need clarity on this particular point before I can move on.

"..."



"Maybe we could come back to this at another time."

"No, an answer via email will be fine."

Be a problem solver

Try to be the one with the solution. A business that's acting in good faith is not, when presented with a workable solution to a problem, going to say no just "because". In a proper negotiation a solution that works should be accepted - so make sure you're the one presenting that solution.

We would suggest using the following structure to problem-solve:

What won't work > Why it won't work > What will work > Why it will work

If you can, run through the whole sequence without interruption. This is your chance to really control the flow of the negotiation - you're identifying an issue and solving it largely without input from the business. If you can do so fluently and comprehensively you can probably dictate the terms to them - they aren't going to be equipped to counter your "whys", so your "whys" will be the ones that structure your agreement.



"There's a couple of potential issues I can see with that arrangement, but I've actually thought about some solutions already."

"I won't be able to commit to X, but it's not going to present a problem, because..."



"That doesn't work for me."

There's no right and wrong, only good faith and bad faith

Every negotiation is different. Every situation is different. That means if you're looking to categorise by "right" and "wrong" you'll probably be disappointed (and potentially hobbled as a negotiator). The only rule is that there are no rules, which is why it's so important for you to figure out your needs ahead of time, decide where to be rigid and where to compromise, and not deviate from your strategy just because things become awkward or difficult.

As long as the business you're negotiating with is acting in good faith, almost any situation can be turned into a win-win. **Businesses acting in bad faith are obviously a red flag**, if you think that a business is going to treat your agreements as non-binding or is being disingenuous you should suspend negotiations.

More than one red flag in a negotiation and we'd advise you think carefully about the role and the culture of the company - make doubly sure this is something you want.

Examples:

Acceptable

A business being particular about the format of negotiations.

A business asking you to provide references to clarify or support a particular demand (eg. if you say that you made a previous flexible arrangement work, it's perfectly reasonable for them to speak to a previous employer about it.)

A business mentioning that there are other candidates, provided they're up front from the start.

A business stating that your needs could potentially be disruptive for them.

Unacceptable

A business offering a written agreement that is different from the one agreed verbally without explaining why.

A business refusing to clarify a point or refusing to say yes/no to a particular benefit.

A business implying that your needs are invalid or not taken seriously.