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# A PRACTICAL GUIDE *to* COLLABORATIVE GOVERNANCE



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# UNDERSTANDING THE SPECTRUM OF COLLABORATIVE GOVERNANCE PRACTICES

Leaders today increasingly recognize that, if progress is to be made on difficult issues, citizens need to be involved in discussing and/or making decisions on those issues in one way or another. In fact, public leaders need citizens to be engaged, in order to gain legitimacy for policy decisions. And more and more, citizens have come to expect that will be the case.

But how should citizens become involved? A number of options exist. Indeed, there is a whole spectrum of collaborative governance processes that involve bringing people together to discuss or resolve public issues. At one end of the spectrum are processes that simply inform the public. Next are processes that consult the public, followed by those that in some way involve or engage the public. At the far end of the spectrum with the most impact are those processes with a goal to collaborate with the public by having them take part in decision making.<sup>2</sup>

## Points on the Spectrum

Let's look at the four main points on the spectrum of collaborative governance processes in a bit more detail.

### Inform

In information-exchange processes, government leaders or staff members meet with representatives from the private and civic sectors, as well as individual citizens, to give them information or obtain information from them. This approach can be a useful way for leaders to get reactions to proposals, gain insight into the public's viewpoints, and help allay controversies due to misinformation.

### Consult

Leaders can use consultative meetings or committees to gain feedback, advice, or input from a broad array of stakeholders. This can be done on a one-time or on-going basis. Consultation provides leaders with a way to gather technical or scientific information for improved decisions. It can also be used to identify data needs and/or policy options. Sponsors can use this approach to stimulate joint thinking, while explicitly reserving their decision-making prerogative.

### Engage

The next point on the spectrum is typically called "involvement," but we prefer the term and concept of "engagement." Much window dressing is being done in the name of "public involvement." It is often undertaken by agencies and companies when they have no intention of acting on the results, but want to be able to say that they have listened to or consulted with the public. Of late, "engagement" has become the more popular term among those who advocate for more direct and genuine citizen participation. Engagement implies a more active, intentional partnership between the general public and leaders. The objective is to actively engage citizens in proposing solutions to difficult problems, choosing priorities, or providing feedback. This kind of public participation is more active than information exchange or consultation; however, engagement does not involve sharing decision-making power, as often happens in the collaborative processes discussed on the following page.

In general, the use of public participation processes has grown markedly since the 1960s, when laws began requiring government to ensure "maximum feasible participation." Over time there has been a shift from information exchange to consultation and then to public involvement, and now to processes that focus on engaging citizens through dialogue and deliberation. The purposes of this broader public engagement are to enlarge perspectives, opinions, and understandings. Advocates of public engagement emphasize the value of an active partnership between citizens and decision makers. They believe it is worthwhile for citizens—not just experts and politicians—to be actively involved in deliberation over public issues (Lukensmeyer and Torres 2006).

A variety of models have been developed for this kind of citizen engagement. The Deliberative Democracy Consortium has created a matrix of these different methods; they include Study Circles, America Speaks, the Public Conversations Project, National Issues Forums, and others. Each of these models has its own purpose and methodology, and each produces somewhat different results.<sup>3</sup>

<sup>2</sup>This spectrum was developed by the International Association for Public Participation (IAP2) and is used with permission.

<sup>3</sup>For more information see [www.deliberative-democracy.net](http://www.deliberative-democracy.net).

## Collaborate

Collaborative processes—which are the main focus of this *Guide*—seek consensus recommendations from the public or stakeholders and/or invite shared responsibility in decision making as well as in implementation. The development and implementation of the Florida building code described in this chapter's case study is a good illustration of how collaborative decision making can operate alongside traditional democratic processes.

To collaborate means to “co-labor,” to work together to achieve common goals. The term is being used more and more frequently as the need for greater teamwork and co-operation to solve today's problems has become evident in business and government. Wikipedia defines collaboration as a word used “abstractly” to apply to all processes wherein people work together. The term is often used indistinguishably from cooperation, coordination, and even communication, but this muddles important distinctions. Arthur Himmelman, one of the first people to describe how collaboration differs from other processes, said, “[W]hen organizations [or individuals] collaborate they share risks, responsibilities, and rewards, each of which contributes to enhancing each other's capacity to achieve a common purpose” (2002). This requires a different level of effort and engagement that goes beyond what it takes to simply cooperate or coordinate.

No two collaborative processes are exactly alike. Some are short, involving a few meetings during which people work to achieve their objectives and then disband. Others go on for months or years. Increasingly, when issues require an integration of resources and shared decision making and implementation, a collaborative group itself may become the structure or mechanism through which on-going problem solving and implementation occurs. Over the past ten years, we have seen growing use of these sorts of on-going structures—for example, in the form of watershed councils and adaptive management groups.

While this *Guide* focuses on collaborative consensus-building processes, it will also address how and when to link such processes with broader public engagement processes.

## The Principles of Collaborative Governance

While each of the processes on the spectrum of collaborative governance is different, all need to be conducted in accord with certain democratic principles. The following are the key principles to keep in mind.

- **Transparency and Accountability:** Discussions should take place in the public eye. When agreements are reached, mechanisms must exist to ensure that parties follow through on their commitments.
- **Equity and Inclusiveness:** Diverse interests and all who are needed to work on the issues must be present or represented.
- **Effectiveness and Efficiency:** Good processes must be designed to produce outcomes that make practical sense.
- **Responsiveness:** Public concerns need to be authentically addressed.
- **Forum Neutrality:** The process should be conducted impartially, in an atmosphere in which participants share responsibility for setting ground rules and generating outcomes.
- **Consensus-Based Decision Making:** This principle applies only to collaborative decision-making processes, in which decisions are made through consensus rather than majority rule.

## What Consensus Means

*Consensus* is the desired way of making decisions in collaborative processes. Consensus is different from voting. It involves gaining broad agreement from participants. After all, the purpose of bringing people together in a collaborative process is to gain the widest possible agreement, so that all those involved will carry out the agreement and follow through on their commitments.

Most groups define consensus in a way that acknowledges that participants support the decision, or at least can “live with it,” and that implementation can move forward. The following is a standard formulation of consensus:

“The group will make its decisions and recommendations based on the consensus of its members. The group will reach consensus on an issue when it finally agrees upon a single alternative and each member can honestly say:

- I believe that other members understand my point of view,
- I believe I understand other members' points of view, and
- Whether or not I prefer this decision, I support it because it was arrived at openly and fairly and it is the best solution for us at this time.”

This definition does not mean unanimity of thought or abandonment of values. Indeed, one of the characteristics of a well-constructed agreement is that it represents diverse values and interests. A consensus agreement is

usually a package of small agreements. Participants probably have varying levels of enthusiasm and support for each component, but they can accept the overall package as a course of action.

Majority voting induces a different kind of interaction. During discussions, if participants know they can revert to a majority vote if they cannot agree, they focus more on building coalitions than on trying to meet the needs of all parties. In a consensus process, by contrast, participants must try to educate and persuade one another about their needs and interests, and must listen carefully to determine how a proposed solution can meet the needs of all parties.

In some situations, a broader consensus may need to be formed—i.e., not just with the people around the table, but among constituents who are not at the table. In fact, many people who care about the matter may not be able to participate directly. In these cases, public engagement processes can be useful in informing and consulting the wider public, in order to build broad understanding and acceptance.

## Misconceptions about Consensus Processes

The following is a well-stated description of five misconceptions about consensus processes from an article by Larry Dressler, (reprinted here with permission).

“Misconception #1: Consensus takes too much time. In considering the issue of speed, be sure to ask yourself whether you actually need to decide quickly or implement quickly. Fast decisions made by individuals or through majority voting often result in slower implementation due to resistance or unanticipated consequences. Many leaders who use consensus would say, ‘Whatever time we lose during our decision-making phase, we gain in the implementation phase.’ There is no denying that consensus can take more time than other decision processes but it does not need to be a burdensome process. With practice, a well-planned process and skillful facilitation, groups can move toward consensus decisions relatively quickly.

Misconception #2: Solutions will become watered down. One concern about consensus is that resulting decisions are mediocre or uninspired because they have become watered down by compromises necessary to secure full group member support. An effective consensus process does not compromise on what’s important. It seeks to find solutions that fully achieve the group’s criteria and goals while at the same time addressing individual members’ concerns. Consensus uses disagreement to tap into innovative approaches that might otherwise be overlooked if minority perspectives were never seriously considered.

Misconception #3: People with personal agendas will hijack the process. In any group process there is a possibility that a dysfunctional member or outside agitator may derail the decision process. Pre-established ground rules, strong facilitation, and a clear distinction between legitimate and non-legitimate ‘blocks’ of a decision are essential to prevent this from happening.

Misconception #4: Managers and formal leaders will lose their authority. Managers are often concerned that agreeing to a consensus process means they are giving up their ability to influence the final decision. They wonder, ‘Am I abdicating my role as a leader if I use consensus?’ In consensus formal leaders are equal members of the decision group. They, like any other member, can stop a proposal if they do not feel comfortable with the solution.

Misconception #5: People are not accountable when decisions have ‘shared ownership.’ The concern is that group-based decisions diffuse accountability. However, no group member is anonymous or invisible in consensus—quite the contrary. True consensus requires every participant to publicly proclaim not just his or her agreement with a proposal but full commitment to support the decision’s implementation.”

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## The Stages of a Collaborative Process

A collaborative decision-making process moves through three general stages, each with its own set of activities.

1. Before: The sponsor conducts an assessment to determine whether or not to initiate a collaborative process. If the decision is to move forward, the sponsor works with a convener to bring diverse interests to the table and selects a neutral forum and facilitator to help plan and organize the process.
2. During: Participants jointly agree to objectives and ground rules for the process. Participants then come together to exchange information, frame the issues, engage in problem-solving discussions, generate and evaluate options, develop mutually acceptable solutions, and secure the endorsement of all constituencies and authorized decision makers.
3. After: Participants work together to implement their agreements, including formalizing the decisions, carrying them out, and monitoring the results.

This basic outline, which underlies most all collaborative governance processes, will be elaborated on in the remaining chapters. In the next chapter we will begin by examining the conditions and circumstances that need to be present in order to undertake a collaborative process.

# CHOOSING AND WORKING WITH A NEUTRAL FORUM AND FACILITATOR

The concept and role of facilitator was introduced briefly in the Introduction to this *Guide*. This chapter will expand upon the tasks and responsibilities of the facilitator. First, though, the chapter will introduce the related concept of a “neutral forum”—a concept that has grown markedly in importance in the past decade.

## What a Neutral Forum Is

We use the term *neutral forum* to mean an institution that has a reputation for impartiality, objectivity, and credibility and the ability to create a neutral “space” in which leaders can gather participants to address issues. It is not necessarily a particular place or location, but rather is an entity with the credibility to assure participants that a collaborative process will operate in an unbiased environment suitable for discussion and deliberation. Such an institution lends integrity to a collaborative process. In the Columbia River case, the National Policy Consensus Center served as the neutral forum, helping all of the different levels of government and other entities to come together to address the key issues.

Neutral forums provide leaders with expertise and capacity to assess, plan, and conduct collaborative governance processes. The staff of a neutral forum knows how to structure processes for on-going problem solving and implementation. This kind of institution ensures that the collaborative structures and processes developed and conducted under its guidance are carried out according to the principles and best practices enunciated in this *Guide*.

An increasing number of universities are serving as neutral forums through their institutes of government, extension programs, and special centers that specialize in multi-party conflict resolution, collaborative problem solving, and public engagement. Universities are among a handful of institutions that have managed to maintain a reputation for objectivity in the current polarized political climate, and many times they are uniquely positioned to help leaders address today’s difficult issues.

Other organizations—some of them within federal, state, and local governments, such as the U.S. Institute for Environmental Conflict Resolution, and some nonprofit organizations established for these purposes—also have as their mission to serve as neutral forums for the resolution

of disputes. In local communities, organizations such as civic clubs, the League of Women Voters, and others have also served this function.

William Ruckelshaus, former administrator of the Environmental Protection Agency, once said, “It is often valuable for a collaborative group to operate under the auspices of a neutral organization, like a university” (PCI Report, June 2005). To that end, Ruckelshaus has helped to create two such university centers that have the mission of serving as neutral forums for collaborative problem solving in their states.

University centers and other similar institutions typically have skilled facilitators on staff who can handle all phases of a collaborative process. Others have rosters of qualified facilitators from which to choose. They can help sponsors find facilitators, conduct assessments, determine what processes will work best, and consult with them about how to play their role as sponsor most effectively.

## What Facilitators Do

Facilitators play important roles before, during, and after a collaborative process. The activities undertaken before discussions begin are critically important to the success of any collaborative process and deserve as much attention as conducting the process. The tasks include: conducting the assessment; designing and organizing the process; creating the climate for collaboration; gathering and preparing information; finding and consulting with experts; preparing parties to participate; planning how to engage the broader public; and managing the logistics. Facilitators, in many ways, function as project managers in carrying out these activities.

Once discussions have begun, facilitators generally plan and run the meetings and help to manage the flow of information. If parties decide to seek advice from experts, facilitators can organize and manage a fact-finding process. They help participants keep their constituents informed. They can serve as liaisons to parties not at the table, such as elected officials or constituencies. And they can assist with drafting agreements. After a process concludes, facilitators often are needed to coordinate implementation and keep it on track.

The most important qualification for a facilitator is past experience managing collaborative processes for public issues, as well as a working knowledge of the particular context and culture. A thorough grounding in the dynamics of working with government agencies can also be key. Subject matter knowledge is important when the facilitator's job is to help participants manage complex technical information. Usually it is not essential that facilitators be experts on the subject under discussion; however, a facilitator needs to have enough knowledge so they don't slow down communications or get in the way due to lack of understanding of basic terminology.

When parties have good working relationships and are experienced at collaborating, the sponsor and participants may be able to share responsibility for the facilitator's tasks and take turns facilitating meetings. Or, it may be acceptable to participants for a member of the sponsoring agency's staff to serve as the facilitator or project manager. In most cases, however, an outside facilitator will be crucial in helping to manage the process.

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## How to Get Process Assistance

If the aim is to find a source of advice for all aspects of problem solving, the best option may be to turn to a neutral forum, as previously discussed—a university center, an institute of government, an extension service, or another organization that has the experience and capacity to plan and facilitate a wide range of collaborative governance processes. Some centers have skilled facilitators on staff; others have rosters of qualified facilitators they can recommend. These centers can assist a sponsor in selecting and managing the services of a qualified facilitator.

If the aim is to find a facilitator directly, a number of private and nonprofit organizations and individuals offer facilitation and other kinds of public engagement services. In deciding whom to choose, it is wise to involve or consult other participants in the selection process, whenever possible, to avoid the perception that the sponsoring agency alone is the facilitator's client.

The Policy Consensus Initiative maintains a directory of university and other resource centers on its website, [www.policyconsensus.org](http://www.policyconsensus.org). The National Roster of Environmental Dispute Resolution and Consensus Building Professionals is a list of facilitators maintained by the U.S. Institute for Environmental Conflict Resolution; their website is [www.ecr.gov](http://www.ecr.gov). Sponsors can also turn to their peers and professional associations for suggestions of skilled resource people and organizations that have

### Questions for Interviewing Facilitators

1. What is your general experience? What is your experience with situations like this? With participants like us?
2. How long did those processes take? What were the outcomes?
3. Do you specialize in one approach? Describe what kind of process you usually use in these circumstances.
4. What approach would you take in managing this situation? What sorts of things do you need to learn in order to tailor your approach to fit this situation?
5. Have you ever encountered unexpected challenges? How have you responded to them?
6. How familiar are you with the types of issues in this case?
7. What kind of staff will assist you? How will you handle logistical arrangements for meetings? What kind of help will you need?
8. Do you know of any conflicts of interest you may have?
9. How long will this process take? What is your availability during this window of time?
10. How do you charge for your services?

worked on similar issues in similar contexts. Private and nonprofit organizations and individuals who offer these kinds of services can also be located online.

Some of the key factors to consider in choosing which resource to use are related to their expertise, availability, and cost. Sponsors can solicit this information from candidate organizations and individuals via phone calls and meetings.

Sponsors can also issue a Request for Proposals (RFP) or a Request for Qualifications (RFQ) as a way to narrow the list of candidates. An RFQ is the better choice because it avoids some of the problems associated with an RFP. The most significant problem with an RFP is that it puts the cart before the horse by asking candidates to propose how they would carry out a collaborative process before they have made an assessment or consulted with the parties.

When using the RFQ approach, ask for the following items: a resume; a list of projects or cases the program or candidate has facilitated, with brief descriptions of those most pertinent to the project at hand; a brief description of their general approach (not specific to this project); a list of previous work, if any, with the sponsor or other parties; a declaration of any potential conflicts of interest; and references.

If the sponsor is using the services of a resource center that will serve as the neutral forum, that forum will take responsibility for setting up interviews with facilitator candidates. If the sponsor is going to contract with a facilitator directly, they need to consider how they will involve other parties in the selection process.

See the box on the facing page for a list of useful questions to ask when interviewing facilitators.

## The Sponsor's Relationship to a Neutral Forum or Facilitator

A central principle of collaboration is that neutral forums and facilitators are unbiased and equally accountable to all participants. This principle requires sponsors to think differently about their relationship to the forum and facilitator than they typically think about their relationship with a consultant. When a facilitator treats a sponsor as their sole client—the one they are working for and responsible to—this creates a fundamental problem in terms of their accountability to the other participants in the process.

It is natural for a sponsor to look for a consultant who will get the results the sponsoring agency wants to achieve. However, when the purpose is to seek a decision or a result through a collaborative process, the sponsor must focus on how the forum and facilitator will assist them in making the process successful, rather than in achieving a particular outcome. If a sponsor needs a particular outcome, they should use methods other than collaboration to achieve that result.

Personal services contracts usually define a special relationship between a contractor and a client. Since the neutral forum or facilitator needs to work on behalf of all participants, and not just the sponsoring agency, the contract should be written in such a way that it could be shown to any participant as a confirmation of the forum or facilitator's ability to act impartially. For example, a contract might say: "The facilitator's role is to serve as an independent process manager. The facilitator's 'client' is the process, and the facilitator is equally accountable to the sponsor and all other participants for ensuring that the process is impartially conducted according to the jointly agreed-upon ground rules. The facilitator will not act as an advocate for anyone on any substantive or procedural issue."

The next chapter will address the final key role in a collaborative process—that of convener.

# ENSURING PROCESS LEGITIMACY THROUGH INCLUSIVE PARTICIPATION

Daniel Kemmis, former Mayor of Missoula, Montana, and Speaker of the Montana House of Representatives, once made the following statement about citizen participation in government:

*Healthy, calmly self-confident government can only be developed by turning adversary factions and interests into problem-solving citizens. . . This kind of citizenship recaptures the very essence of democracy; it makes government far less a matter of bureaucracy, far more a matter of the direct exercise of citizen competence. (1990)*

Collaborative processes are adjuncts to traditional democratic processes. As such, they have to measure up to principles of good democratic practice. One of the core principles by which a collaborative process will be measured is the extent to which it is inclusive and representative of the public and key stakeholder interests. If it fails to be inclusive and representative, the outcomes of the process will likely not be viewed as legitimate. This chapter talks about how to ensure inclusive representation, and how to create the conditions necessary for effective participation.

## Five Principles of Participation

The following are five key principles relating to participation, each of which is elaborated upon in this section.

1. The process must be inclusive and representative of all necessary interests.
2. Participation must be voluntary.
3. All parties must be able to participate effectively.
4. Participants must share responsibility for both process and outcome.
5. When participants represent stakeholder groups or interests, some honest brokers, as well as the broader public, may need to be engaged.

### 1. The Process Must Be Inclusive and Representative of All Necessary Interests

Inclusive of "necessary interests" means that all parties with a stake in the issue should be represented, including those directly involved in the situation and those otherwise affected by the issue. To ensure complete representation in a process, the sponsor should also invite individuals whose views the sponsor believes to be representative of a larger set of interests. For example, a sponsor may invite a farmer who can speak knowledgeably about the perspectives of other farmers. If the intention is for the farmer to formally "represent" other farmers, however, the farmer and his constituents will need to set up explicit linkages and clear channels of communication between them. In this way, the farmer actually takes part in two different discussions—one with the participants at the table and the other with his own constituents.

### 2. Participation Must Be Voluntary

Potential participants must be able to elect whether or not to participate. Some individuals or groups may choose not to be directly involved, even while they have no objection to others working together to solve the problem at hand. Others may be openly opposed to the effort or consider it a waste of time. In the latter cases, the remaining parties will need to decide whether or not to proceed without those who abstain, as the absent parties could block a decision or interfere with implementation later on.

Another part of this principle is that any party may withdraw from the process at any time. If a participant withdraws, the sponsor, convener, and other parties will need to examine whether the process can continue without them, since presumably each party is necessary to the success of the endeavor.

### 3. All Parties Must Be Able to Participate Effectively

In order to participate effectively, some parties may need assistance so they can understand the complex technical, scientific, or legal matters that are to be discussed. Sometimes facilitators can help them gain this knowledge and prepare for the deliberations; at other times technical experts may be needed. Participants may also need financial assistance to cover travel and childcare expenses.

In all cases, the facilitator should work with the sponsor to ensure that each participant is prepared to take part in the process. If too many obstacles stand in the way of effective participation, a collaborative process is unlikely to be successful, and the sponsor may need to consider other approaches to addressing the issue at hand.

#### **4. Participants Must Share Responsibility for Both Process and Outcome**

A major incentive for participating in a collaborative decision-making process is the ability to have a direct role in determining both the process and the outcomes. Participants need to reach agreement on the structure of the process, the ground rules that guide it, and the decisions or outcomes the group produces. Under the principle of shared decision making, the sponsor or convener cannot make these decisions alone.

#### **5. When Participants Represent Stakeholder Groups or Interests, Some Honest Brokers, as well as the Broader Public, May Need to Be Engaged**

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Broad participation helps to ensure legitimacy for the process and the outcome. But collaborative processes often affect more people than can fit around a table. Although the number of persons participating directly may be limited, they must produce a decision that is acceptable to all. In these cases, it can be important to reach out and actively engage an even broader group of citizens at key stages of the process—for example, when setting priorities or assessing options for addressing the issues.

Collaborative processes have sometimes failed to produce outcomes because of the entrenched nature of the interests around the table. And sometimes the outcomes produced have not been sufficiently inclusive of interests and perspectives that were not at the table. To address these potential problems, it can be very helpful to add some “honest brokers” to the mix—people with knowledge, credibility, and good connections to broader networks. Such people can be from civic organizations, such as the League of Women Voters, or they may be other respected and knowledgeable individuals known for taking a broader perspective toward issues.

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# TOOLS AND TECHNIQUES FOR CONDUCTING DISCUSSIONS AND REACHING AGREEMENTS

In collaborative processes, proper preparation is all-important, which is why all of the activities described in this *Guide* up to this point have involved preparatory activities. Now it's time to talk about what to do once a process has been organized and the parties are at the table. This chapter outlines how to successfully conduct problem-solving discussions and reach consensus. By necessity, the chapter merely outlines topics about which whole books have been written. The resources list at the back of this *Guide* lists several excellent resources for more in-depth information about this important phase of the process.

This chapter talks first about the important concepts of interest-based negotiation and dealing with conflict. It then outlines a six-step process for reaching consensus, and discusses in a sidebar a special kind of collaborative process—adaptive management.

## Interest-Based Negotiation

Central to all collaborative processes is interest-based negotiation. In interest-based negotiation, an effective negotiator focuses not on opponents' positions, or what they say they want, but rather on their interests, or what they really need. Another way to describe interests is "why a person wants what they say they want."

The frequently told story used to illustrate interest-based negotiation is that of the mother who hears her two children arguing in the kitchen over who should get the last orange in the house. She takes the orange, cuts it in two, and hands half to each child, only to watch one child eat the fruit and throw away the rind, and the other grate the rind for cupcake icing and throw away the fruit. Observing this, the mother realizes that if she had only asked her children why they wanted the orange, she could have found a solution that satisfied them both much better.

In this story the needs of each party are different and, if discovered, can form the basis of a win-win solution. The outcome is an "integrative" solution—one that satisfies both parties simultaneously. Getting participants to discuss their interests, concerns, or needs—rather than their positions—enhances problem solving and enables parties to jointly find integrative solutions. Also, once

their interests and concerns are on the table, it is often easier for a group to find ways to jointly frame the issues they want to address.

The principles of interest-based negotiation are explained in the classic book *Getting to Yes*, by Roger Fisher and William Ury (1991). They include:

- Separate the people from the problem: Disentangle the people from the issues, listen actively, and acknowledge perceptions and emotions.
- Focus on interests, not positions: Listen for why people want what they say they want.
- Invent options for mutual gain: Focus on the variety of ways the issues and interests could be addressed.
- Insist on objective criteria for choosing among options: Develop and agree to fair standards or procedures for making decisions.

Once participants' interests and concerns are on the table, attention can turn to naming and framing the issue as a mutual problem to be solved together. Then participants will be able to begin problem solving and developing options to address the issues. We will flesh out a model for problem solving similar to this in a moment.

## Dealing with Conflict

As discussions get underway, it's important to be aware of the challenges involved in dealing with conflict. When participants are in conflict, their perceptions about issues are affected by their feelings. If two people disagree over facts, for example, but have been friends for years, their perceptions of what is going on will be different than if they have been adversaries for years. If they have not gotten along in the past, they may have great difficulty in accepting anything the other person says. If people are angry or afraid or have been hurt, their emotions may keep them from listening to what the other person is saying. In these situations, it may be necessary for participants to have the opportunity, with the assistance of a skilled facilitator or mediator, to express their feelings so that they can work through the conflict.

That doesn't mean participants have to agree with each others' perspectives. But they do need to be able to acknowledge why others hold different views and values. This kind of understanding emerges from carefully listen-

ing to each other. A skilled facilitator plays an important role in helping people ask questions about each others' views in ways that help them overcome misunderstandings. Participants can emerge with a better understanding of how their actions and perceptions affect one another, and this can help make discussions more productive.

## Six Steps for Getting to Consensus

The following is a simplified, six-step model for reaching consensus in a collaborative process. This model assumes that all of the preparatory work discussed previously in this *Guide* has been successfully accomplished—the sponsor's, facilitator's, and convener's roles are clear, the appropriate participants have been assembled and are prepared to talk, preliminary information has been

gathered and disseminated, ground rules have been established, and the participants are clear on their purpose and goals.

### 1. Gather and Exchange Information

As discussed in Chapter 8, it's essential that participants have the information they need to address the issues. And ideally, some information will be shared and reviewed by participants before a process begins.

Once a process gets underway, the gathering and exchange of information will need to continue, as part of a process of understanding and defining the problem or problems at hand. This can occur during the early meetings of the group by having participants exchange information with each other, inviting experts to make presentations, and/or

### Applying Adaptive Management Techniques

Adaptive management is a particular type of collaborative problem-solving process that has gained traction in recent years and thus deserves some explanation of its own. Adaptive management is generally applied to resource management issues. It is valuable when the issue at hand involves unknowns that can only be addressed through iterative decision making. Adaptive management incorporates what is learned during a monitoring phase back into succeeding rounds of decision making.

Typically an adaptive management process includes the following steps:<sup>10</sup>

- **Step 1:** Problem assessment is often conducted in one or more facilitated workshops. Participants define the scope of the management problem, synthesize existing knowledge about the system, and explore the potential outcomes of alternative management actions. Explicit forecasts are made about outcomes in order to assess which actions are most likely to meet management objectives. During this exploration and forecasting process, key gaps in understanding of the system (i.e., those that limit the ability to predict outcomes) are identified.
- **Step 2:** Participants develop a management plan and monitoring program that will provide reliable feedback about the effectiveness of the chosen actions. Ideally, the plan should also be designed to yield information that will fill the key gaps in understanding identified in Step 1. It is useful to evaluate one or more proposed plans or designs, on the basis of costs, risks, and ability to meet management objectives.

- **Step 3:** The plan is implemented.
- **Step 4:** Indicators are monitored to determine how effective actions are in meeting management objectives, and to test the hypotheses that formed the basis for the forecasts.
- **Step 5:** Progress is evaluated. This involves comparing the actual outcomes to the forecasts and interpreting the reasons underlying any differences.
- **Step 6:** Adjustments take place as needed. This involves making changes in practices, objectives, and the models used, to reflect new understandings. Understanding gained in each of these six steps may lead to reassessment of the problem, new questions, and new options to try in a continual cycle of improvement.

Some refer to this kind of approach as "adaptive governance." It can be used to address a variety of complex problems in which unknowns are an important factor. It involves getting people to work together across organizational boundaries in teams and groups that draw on their various knowledge systems and experiences for the development of common understanding and policies. Even in areas outside of natural resources, such as in health and human service delivery, there is increasing recognition that complex issues require various sectors to work together to develop agreements for integrated management and then to monitor what they are learning from implementation and incorporate those new understandings in subsequent action plans.

<sup>10</sup> Adapted from *An Introductory Guide to Adaptive Management*, Forest Practices Branch, British Columbia Ministry of Forests and Range. [www.for.gov.bc.ca/hfp/publications/00185/Introductory-Guide-AM.pdf](http://www.for.gov.bc.ca/hfp/publications/00185/Introductory-Guide-AM.pdf)

taking field trips. Also, the facilitator may want to invite a subject matter expert to be part of the facilitation team to help manage and translate information.

In contentious situations, issues concerning the validity and accuracy of information often arise. Participants naturally cite information that supports their positions, and others may doubt the source or accuracy of that information. To deal with these differences and avoid the problem of “dueling experts,” the facilitator can work with participants to set up some form of *joint fact-finding*. Joint fact-finding is a strategy for resolving factual disputes by forming a single fact-finding team comprised of experts and decision-makers representing all of the different interests at the table. The team then works together in an effort to come to agreement regarding relevant facts.

Different kinds of information may need to come into play in a collaborative process, particularly where there is a clash between science and culture. Many issues involve both scientific or technical information and experiential or cultural information. This can be characterized as “knowledge from away” vs. “knowledge from here.” Both have value. A report available at the PCI website called *Building Trust: When Knowledge from Here Meets Knowledge from Away* spells out some basic principles for managing information in these circumstances.<sup>11</sup>

In some cases, information may be missing, and the group will need to agree on some process for obtaining it. Sometimes participants will need coaching in how to come to grips with uncertainties that cannot be resolved. Under these circumstances, participants will need to decide what is adequate information and develop agreements that allow for adaptation as new information becomes available.

## 2. Frame the Issues for Joint Problem Solving

People commonly and naturally “frame the issues” (i.e., define the problem) from their own perspective. The goal of framing an issue for collaboration is to define it in terms that invite the audience into the solution. To get parties to collaborate, it is necessary to help them frame, or reframe, the issues in a way that captures a common perspective.

For example, in Maine a legislator convened people from universities, community and technical colleges, and high schools to discuss an issue he framed as economic development and revitalization, rather than as providing for education and workforce development. He recognized that all of the institutions had an interest in playing a role in the region’s economic development, whereas the issue of “funding for education” would create controversy and acrimony

In another example, the following two statements are framed with a focus on people’s different positions: “Should our community continue growing and bringing in new economic development and jobs?” or, “Should we limit growth and preserve the environmental qualities that make this area special?”

These two statements can be reframed by incorporating the two sides’ real interests or needs into one statement: “How can we achieve the economic development potential of our community while preserving and protecting the land and the environment that make our town such a great place to live?” Notice the difference that occurs as a result of framing the question as “How can we” rather than “Should we...” This approach to reframing helps people identify with a common perspective.

Reframing enables people to develop a new way of understanding the issue; it helps them understand how others view and value the issues. As participants develop a joint framing of the problem, their discussions may lead to further analysis, which in turn leads to discovery of new elements of the problem and results in further reframing of the issues. This process goes on until the parties are satisfied with the way the issues are framed and are ready to begin looking for solutions. It is unlikely that people will be able to agree on solutions until they can agree about what the problem or issue is!

One of the most effective ways leaders can do this is to tell a story that captures a broader frame for the problem or issue. When people hear a good story that captures the essence of an issue, they remember it and repeat it. By using stories to help frame issues, more people can be engaged in addressing the problem and finding a solution.

## 3. Generate Options that Accommodate the Interests

Once interests are identified and issues reframed, participants can begin to develop options to address the issues. The group can create these options in any number of ways. They may simply brainstorm ideas in a large-group setting. They may work on them in small groups. They may seek assistance from technical experts to help them come up with options. Or each party may develop proposals to bring to the whole group for consideration.

This is a good time to remember that, throughout the collaborative process, key leaders and constituency groups must be kept informed of the group’s progress. Participants will need to periodically get their constituents’ feedback on options and tentative agreements as the process moves along. Because governmental agencies and other participants will need to be prepared to incorporate provisions of the agreement in their policies, work plans,

<sup>11</sup><http://www.policyconsensus.org/publications/reports/docs/BuildingTrust.pdf>

or budgets, it is important to seek their advice about the form the collaborative agreement needs to take to be formally adopted and actually implemented.

#### 4. Identify Criteria, and then Evaluate the Options

In order to evaluate the various options and proposals, a group needs to establish guidelines or criteria for determining the appropriateness and acceptability of each option. Participants may develop criteria before or after identifying the options. In either case, the criteria should be objective enough to enable participants to make choices among the options. Then the criteria must be applied to the options to determine which are acceptable, which are unacceptable, and which need further work or discussion.

#### 5. Assemble the Agreed-Upon Options into a Package

In this step, participants must work to combine options in ways that can satisfy all of the different interests. Undoubtedly each party will care about some issues more than others; the challenge is to find a package of options that takes all of the parties' priorities into account and can satisfy everyone. *Single-text negotiation* is one method for developing such a package as the basis for discussion and modification. This technique can also be used to develop the final agreement. In this method, the facilitator takes into consideration all the options discussed during the negotiations and develops a single working document that reflects how all of the issues and interests of the various participants could be reconciled in an agreement or an action plan. The facilitator then presents it to the participants. The participants then offer their comments and criticisms, which the facilitator incorporates into revisions of the document, until it comes to represent something all the parties can agree to. Computer-based tools are also available to help groups formulate options and refine and combine them to arrive at consensus-based decisions.

To test whether or not a group is close to consensus on a package of options, participants can be asked to indicate whether they:

1. Wholeheartedly agree with it
2. Support it
3. Can live with it
4. Have reservations about it—let's talk more
5. Have serious concerns about it—must talk more
6. Reject it—will block it

This method can help sort out where consensus exists and where more time needs to be spent discussing or reformulating the options.

#### 6. Develop the Final Agreement

Once a group has developed consensus on a package of options, then the group, a subgroup, or the facilitator can begin drafting the actual language of the agreement, including provisions for implementation. Participants can then review the draft and negotiate over it until they have a version that satisfies them.

Once a draft is completed, constituencies may need to review the draft prior to final agreement. This is the point where it becomes clear that maintaining on-going communications with constituents is essential. At the very end, changing any one element of the agreement can affect the willingness of other parties to support the other elements of the agreement. Any suggested changes from constituents must be brought back to the group for further discussion. If participants agree to make the changes, the agreement may need to be returned to constituents for another round of approvals.

When everyone is in agreement, then all participants sign the agreement. Signing can be an important symbol of commitment, and the signing ceremony can be used as an occasion to highlight and celebrate the achievements of the group.

#### Provide for Implementation in the Agreement

More and more, the success of a collaborative process is judged by the measurable outcomes that result. To achieve successful results, attention needs to be given to implementation from the very beginning of the process. It is not enough to reach joint understandings and agreements. A collaborative process needs to result in changes on the ground—changes in law, policy, behavior, or whatever is appropriate to the situation. Agreements should address issues of implementation. They should set out schedules, identify how resource needs will be met, clarify contingencies, and establish oversight responsibilities.

If needed, agreements should also set out targets or indicators to help monitor performance, as well as specify monitoring procedures. In other words, an agreement needs to incorporate all the necessary mechanisms that will enable progress toward implementation to be monitored and evaluated.

Often, implementation does not rest with any one agency, but rather needs to be coordinated among a number of agencies and organizations. Coordination of those various organizations must also be addressed. Chapter 11 will address how to create governance structures and mechanisms for implementation.

# APPENDIX: A MINI-GUIDE TO PARTICIPATION

This appendix is geared toward prospective participants in a collaborative process. It describes the stages of a collaborative decision-making process and highlights the actions participants will be called on to take at these various stages.

## Before Discussions Begin: Decide Whether or Not to Participate

At the outset, you will need to assess whether or not a collaborative approach to the issue serves your interests and objectives. A major incentive for participating is the opportunity to have a direct role in making decisions. To participate in good faith, however, you must also work toward a consensus solution that everyone can support. It is therefore in each party's interest not only to try to meet their own needs, but also to try to help meet the needs of the others.

### At this stage, you should:

1. Be willing to meet with the interviewer. Refer to "Questions for a Stakeholder Analysis" in Chapter 4 to prepare for your interview.
2. During the interview, share your view of the issue and the context. Ask questions so that you fully understand how the process will work. Then you and your associates can compare it to other options for meeting your objectives.
3. Be candid with the interviewer about your perspectives, your organization's interests, and whether or not you are interested in participating.

You may need to meet with the interviewer more than once before deciding to participate. For example, another party may object to an issue that you have requested be placed on the agenda (or vice versa), and the disagreement may need to be resolved before the process can begin. The interviewer may shuttle between you and the others until the matter is resolved, or may suggest that you and they discuss it directly. You will not be asked to commit to a process until all of your questions have been answered, so you can continue to evaluate your options until you and the others can agree to go forward.

## Before Discussions Begin: Prepare for the Process

This step begins after you and the other parties have agreed to participate and the sponsor decides to move forward. During this phase, you will work with the facilitator and the other parties to plan the process. At this stage, you should:

1. Express all of your concerns about how the process will be organized—the "who, what, where, when, why, and how."
2. Listen to the concerns of other parties.
3. Work with the facilitator and others as requested to plan the process and write ground rules.
4. Keep your colleagues and constituents advised of the plans and allow them to review draft ground rules if they are interested.
5. If the process is going to be made up of representatives of groups, select someone well equipped to represent your group's interests and to communicate effectively with others. In some processes, several organizations may form caucuses, so that not every organization will have a member directly participating in the discussions. If that is the case, make sure you are comfortable with the person or persons representing your caucus. Establish a clear process for instructing your representative before each session and reporting back afterwards. Clarify your caucus's procedures for making decisions, especially decisions to approve components of an agreement.
6. Once all concerns are addressed, commit to following the ground rules. When all parties have made this commitment, the process can begin. If you are not satisfied after reviewing the ground rules, you can decide not to proceed.

## During the Discussions: Participate Actively and Effectively

### During the discussions, you should be prepared to:

1. Explain your interests and concerns. Be forthright about putting them on the table.
2. Listen carefully to learn about the interests and concerns of other parties. Ask questions to make sure you understand.
3. Share information that can contribute to better solutions. If some information must be kept confidential, consider ways to share the relevant parts safely.
4. Seek ways to jointly gather information that is credible to all participants.
5. Work with all parties to develop creative solutions that all can accept.
6. Abide by the ground rules and be willing to enforce them when you think they are being broken.
7. Keep constituents informed. Take back tentative agreements for their review. The better informed they are, the more likely they are to support agreements the group develops. Make sure other parties understand how your group makes decisions and how much time is needed for that to happen.
8. Use the facilitator as an intermediary to help resolve sticky issues.
9. View the overall outcome as a package to support, even if some components are not what you might have preferred.
10. Indicate your support by signing the written agreement.

## After the Process Ends: Support Implementation

Implementation involves first transforming the informal agreement into an official decision, and then putting the decision into effect.

While the agreement is being translated into an official decision, support the agreement package through any official public review process. Be prepared to attend public hearings and other meetings to explain the agreement and answer questions. If a legislative body needs to make a decision regarding the agreement, be prepared to lobby legislators and testify at hearings. Also, be prepared to meet with other stakeholders if there is a need to modify the agreement.

During implementation, you will need to take the action steps necessary to uphold your part of the agreement. Implementation may also involve serving on committees to monitor the agreement and make mid-course corrections. This can also be an opportunity to involve other members of your organization.