Negotiating, closing and partner development

External Relations - Chapter 6
BEE Tutorials

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Negotiation

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Priorities

You enter the negotiation phase normally after the potential partner shows their first signs of interest in cooperating with you. This can be shown through the willingness to have a meeting, asking for more information, etc.

In this phase, you have a few main priorities:

- To understand if the research you made is truthful to what the potential partner wants;
- To understand that the potential partner wishes to cooperate within the terms you assumed;
- To adapt your proposal if you misjudged;
- Negotiate the concrete terms of an agreement

So, this phase is where listening and asking questions becomes important. You need to firstly understand that the work you have done previously is sound.

If it is not 100% right, then you need to adapt your idea for the cooperation, or give it up all together. Were you thinking that a potential partner was interested in ELSA Traineeships, but they are more into social responsibility? Does it make sense to include them in those projects? Listen to what they say and adapt accordingly.

Then comes the time to discuss a concrete proposal, whether it is a project package that you created or a formal agreement. Here, the general terms of the partnership should already be agreed upon and you would be focusing on the details.

Phases of negotiation

When it comes to the phases within the negotiation phase, we can identify the following:

- Presentation of the parties;
- Discussion of the areas of cooperation/ parties rights and obligations;
- Discussion of the concrete terms of the partnership.

These three phases can take as little time as a single meeting or as long as months of discussion meetings. It is important for you to make sure you go through them, but do not haste them. Take your time and understand who you are talking to.

Presentation of the Parties

When it comes to the presentation, you should focus on presenting ELSA. So, you need to be direct, concise but also thorough. The external needs to understand what ELSA is but you should not need a 10 minute speech to do so.

So, it is important for your to focus on the following topics:

- Presenting ELSA and the Philosophy Statement;
- Presenting our reach internationally (43 countries, over 400 universities and 60.000 members), nationally and locally (if applicable);
- Presenting our fields of activities and what we do in that regard internationally, nationally and locally (AA, C, PD, S&C);
- Presenting the general idea of cooperation (initiatives and general partner obligations).

If you have prepared booklets, some of these topics should have been covered there, so your initial pitch should be short and simple. If not, you can take a bit longer, but do not go over 5 minutes. After that no one is truly listening.

After this initial presentation, it is normal for the potential partner to have some questions. Try to be as thorough as possible and link your answer with benefits you think the cooperation would bring to both parties.

If the potential partner asks you to clarify your national reach, do not forget to say that with that reach you can put the partner in contact with a vast community of law students and young lawyers all over your country, thus being able to help them recruit and raise awareness.

Presentation of the Parties

Before or after you present ELSA, the potential partner normally also gives a short presentation of the organisation they represent.

Here it is important for you to pay attention to what they say, namely to the areas of focus of the organisation as their values. If you make your pitch before theirs, normally they also give some input on the areas of cooperation you identified.

This is a nice way for you to start understanding if your proposal makes sense and go deeper into the areas where both parties are in agreement.

If your pitch comes after, it is important for you to link your presentation to theirs in order to create connections. Did the potential partner say that they focus on creating links to law schools in order to recruit? Then say you have traineeship programmes, career fairs to that end and you can cooperate in that regard.

It is also a good idea to ask them questions. After your pitch you can simply ask them where do they think ELSA could help them, given the presentation you gave. Nevertheless, it is also important for you to give your input on the areas of cooperation beforehand, or else you will seem unprepared.

Discussion areas of cooperation

After the initial presentation and by presenting the areas of cooperation, we slowly go to the discussion on the cooperation itself.

Here, with your initial proposal and their feedback (either through questioning them or by their own presentation) you should have an idea of what they want from what you presented. So, it is time to expand it.

Normally, the potential partner will ask you questions about those areas (ex. More in-depth information regarding projects). Here you need to be extremely clear and detailed, as well as to clarify what do you concretely want from them and the benefit they will get.

The potential partner may also ask you about topics that were not mentioned in your pitch. For example, if you present PD projects but they are interested in Social Responsibility, they may ask you if that is something you focus on. Be prepared to change your aims and to be flexible.

At the end of this part, you should have an idea what you can cooperate in and how. This is also normally the roadmap of the first meeting.

After this comes their input on if they can proceed with the partnership (after the meeting, as normally there needs to be internal discussion) and the concrete terms. So, once the meeting is done, you need to prepare your follow-up!

Discussion of the concrete terms

After the first meeting, the potential partner may ask you for a concrete set of obligations and rights included in the partnership. This is also known as the partner packages we have discussed before.

So, you will need to prepare a follow-up email with this package, adapted to what you discussed. It is also important for you to include - if you prepared - more in-depth information regarding the areas of cooperation you discussed.

Project booklets, marketing materials for promotion, and so on, are things that you can also include in your email to provide additional information.

After this follow-up, the potential partner will most likely ask for some time in order to discuss the proposal internally. This may take more or less time according to the complexity of the proposal (ex. If it has a financial contribution involved).

Also, bear in mind that big organisations have other worries in their daily lives so they are prone to forget us from time to time. Do send some reminders.

The frequency depends on national rules of courtesy, but don’t let it be too frequent in order to not be intrusive while also not being too far away and forgotten.

Closing the Partnership

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Closing

After all of this is done, both Parties agree on a set number of obligations and rights. So, it is time to close the partnership and start implementing it.

The main question in this phase is whether there is a need to formalise the partnership with an agreement or not. This very much depends on some elements:

- Complexity of the cooperation: if the partnership is meant to be a simple one (namely to provide speakers for a webinar) there is no particular need to have an agreement;
- Existence of financial contributions: if the partner has the obligation to give you a financial contribution, then it is better to keep it in writing;
- Duration of the partnership: if the partnership is meant to last long and to be kept throughout the term, it is advisable to create an agreement in order to help our successors be aware of the cooperations they have to have in mind.

With this in mind, you can propose to the partner the creation of an agreement. If they are not into it, no problem! Just ensure that you keep track of the content of the partnership

Partnership development

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You have a partner. Now what?

External Relations does not end when you get a partner. In fact, a whole new world appears, where your task is to keep the partner happy and - potentially - contribute more.

So to the question “now what?” the first answer is: keep your partner happy. Ensure you comply with the terms of your partnership, but also provide some small extras from time to time in order to keep them engaged.

For example, at the end of an event they participate in, send a small gift, or if you have a defined number of posts on social media and they want one more, ponder do it, in order to keep them pleased.

With the “keep them happy” priority, you ensure that the partnership is continued and renewed for another year/project. But more than that, you can also try to expand it and the engagement the partner has with your Group.

In general, partnerships expand in this way:

- Small project partner (ex. EWA) -> Bigger project partner (ex. Competitions);
- Bigger project partner -> General Partner;
- General Partner -> Bigger General Partner.

This is the normal process, but of course sometimes partnerships expand and skip some steps. Be flexible and listen to what the partner wants.

Project Partner to General Partner

The normal way of externals to get engaged with ELSA for the first time is through small and simple interactions, namely by being speakers, panelists, etc at our events.

Through this first interaction - if it goes well - they understand our reach and professionalism, creating a basis of trust that can be expanded to more engagement.

This can be done either by engaging them more with that same project when done again - ex. more panelists, speakers, promotion - or by including them in other, bigger and more important projects.

If all goes well, in some time the partner will be introduced to your Group, your members and some of your projects. The next step is to make them a General Partner, thus expanding their support not to just some project, but to the Group in general.

This way, besides the engagement the partner already has with the previous project(s) you may offer a general partnership where they get general promotion and visibility on your channels, as well engagement with new projects.

This process takes time and you should make it step by step in order to make sure the relationship grows in a sustainable way.

Expansion of General Partnerships

Now let's say you have a general partner. Are you done now? Not necessarily! There is always room for improvement.

One of the ways to do so is to look at the packages you created beforehand and expand your current General Partner to the next tier, thus offering them more engagement with your Group in exchange for more support from them.

Lastly, and for your most engaged General Partners (the highest tier), you can think of also proposing them dedicated/personalised projects, which you do exclusively with them.

These projects increase the workload of your Board so before any proposal to a partner, you should discuss it with your Board. But if to advance, the idea is to create a dedicated project with the partner, totally structured and planned with them (ex. Essay competitions, series of webinars, Lawyers@Work).

It is not ideal to have personalised for every partner you have, or else you will get an unmanageable amount of work for your Board. Nevertheless, for your strongest partners (assuming you have a maximum of one, two) it is something that you can give as a last step for total engagement with your Group.

Chapter 6 done!

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