

## What Does "High-Stakes" Mean for You?

This course is designed for leaders, executives, and specialists who regularly face disputes where the outcomes involve:

- Significant Financial Loss
  - Reputational Damage (Public crises, internal scandals).
  - Critical Relationship Breakdown
  - Legal Exposure (Pre-litigation scenarios, internal investigations).
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**If you treat the high stakes dispute purely as a Math problem, you will miss the human levers that actually drive the decision.**

### Why It Matters

- **Psychosocial factors:** the combination of psychological and social elements that influence an individual's thoughts, emotions, behaviour.
- **Predictability:** Anticipate the person's next move.—Know what makes them tick or trigger them. Observe their facial expression and their response as they listened to the team's explanation.
- Avoid 'bombs' by sharing only information that was within the scope.
- **Communicate effectively-** summarise their key concerns and reflect back at them for consensus.
- **Plan loosely:**Have a rough plan and be prepared to pivot whenever necessary. Have a Pre meeting with internal stakeholders to prep.
- Give the external stakeholders **time and space** to reflect on the offer.
- Be Sincere and build trust. Trust is vital and delicate.
- **Active listening, Empathy, Curiosity:** Don't judge their feeling. Feelings are amoral. It's not right/wrong. Find out the real concerns, tensions which people are seeing but not saying. Uncover silent resistance that's blocking them from moving ahead.
- **What's beneath the 'ice-berg'** : If you know what the other party truly value, then you can structure a settlement that can attract them. Also, bearing in mind your baseline in the negotiation process.

## Stakeholder Management

- Establish the "Need-to-Know" Circle: restrict information flow to essential personnel to prevent leaks.
- **Signs of Hidden Stakeholders:** Sometimes, the appointed spokesperson by the external stakeholders may not be the ultimate decision maker to accept/decline the offer made by the organisation. Do observe that in the actual meeting, who is the one dominating or influencing the ultimate decision. Alternatively, in their email communication, the appointed spokesperson may frequently said he/she have to consult someone else to make the last call.
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## Define "Success" (The BATNA Analysis)

- Information Gathering
  - Internal Audit: Interview the staff concerned while memories are fresh.
  - Financial Analysis: Quantify the cost of the dispute (legal fees, lost productivity, distracted leadership) vs. the cost of settlement.
  - Are there inconsistent information given by the staff or the client/external stakeholder. If yes, probe further.
- Determine Best Outcome: What is the ideal realistic result?
- Determine BATNA: What is your Best Alternative To a Negotiated Agreement? (e.g., "If we don't settle, we go to court, spend \$2M, and have a 60% chance of winning.")
- Determine WATNA: What is the Worst Alternative?
- Set the "Walk-Away" Point: At what financial or operational cost does a deal become worse than fighting?
- Focus on Interests, Not Positions: Ask "Why do they want that?" rather than just fighting "What they want."

## Formalization & Post-Resolution

***Goal: Ensure the deal sticks and the organization recovers.***

### The Settlement Agreement

- Confidentiality: strictly define what can be said to the press, employees, or the external stakeholder.
- Do not give an 'offer' which the other party is unlikely to take. That will add fire to the dispute.