A CONSTRUCTIVE APPROACH TO
CONFLICT RESOLUTION

HOW TO USE INTERESTS IN PROBLEM SOLVING

Conflict can be overcome by employing a constructive approach to dispute resolution. This approach is effective because it clearly identifies people's needs and attempts to employ the energy and resources of the parties to resolve differences in a way that addresses those needs.

Often, the traditional approaches used to overcome conflict are destructive. Emphasis is put on gamesmanship techniques or negotiating "tricks" - strategies which are designed to dominate or force others to submit. A constructive approach avoids these methods and focuses the energy of the disputants on sincere collaborative efforts to obtain mutual gain.

In addition, conflict is often only controlled or managed rather than being resolved. Controlling or managing conflict may diminish the immediate seriousness of conflict or delay its impact, but the conflict remains unresolved. A constructive approach strives to resolve conflict so that the disputants are finally freed from it.

This process is most effective when parties:

- Have an ongoing relationship.
- Wish to maintain control over the outcome.
- Have some ability to influence the behaviour of others.
- Have some mutual interests.
- Have some need to reach resolution.
- Have authority to make decisions about the issues being discussed.

BEFORE STARTING AND THROUGHOUT THE PROCESS, all parties should be encouraged to:

- Check their perceptions and assumptions.
- Check whether they are committed to working toward resolution.
- Ask themselves whether they can handle the strong emotions they may feel.
- Ask themselves if they feel they can deal with the strong emotions others may display.
- Be prepared to be candid about what they need.
- Be prepared to recognize the needs of others.
- Acknowledge that each person will have different perceptions of matters being discussed and as long as those perceptions are being honestly conveyed, they all have legitimacy.
PROBLEM SOLVING MODEL

A constructive approach to conflict resolution can be summarized in the following stages:

PRELIMINARY CONSIDERATIONS:
• Commitment to Process
• Forum
• Establishing Expectations

STORY TELLING:
• Identifying Interests
• Identifying Issues
• Agenda Building

PROBLEM SOLVING:
• Generating Options
• Analyzing Options
• Reaching Agreement
• Test for durability

IMPLEMENTATION:
• Responsibilities
• Review
• Closure
PRELIMINARY CONSIDERATIONS

Commitment to Process:

At the beginning this conflict resolution process, it is important to confirm the commitment of all involved parties. To obtain this commitment:

- Describe the situation that you feel needs to be addressed.
- Describe the process that you would like to employ and ask if it is acceptable.
- Ask each party if they are prepared to put the time and effort that maybe required into the process.

As with all stages of the process, consensus is necessary to proceed further. If the commitment of any party cannot be confirmed, consider whether the process would be effective without that person. Also consider what might be done to obtain that commitment.

Remember, the commitment you are seeking is not a commitment to resolve the situation, but rather to participate in good faith in a process that will endeavour to resolve the situation. **It is important to obtain a positive commitment from everyone who will be involved in the process.**

Forum:

Thought should be given to where and when the process should occur and who needs to be included:

- Where will participants feel safe and comfortable?
- What can be done to minimize distractions or interruptions?
- What can be done to promote privacy and ensure confidentiality?
- Are there any specific needs of any party that should be recognized?
Establishing Expectations:

Early in the process it is important to discuss the expectations regarding how participants will conduct themselves during the process. Reach consensus on guidelines to reflect those expectations which will govern everyone's behaviour during the process.

These guidelines may include:

- Speak from your own perspective, use "I" language.
- Everyone will be allowed to speak fully.
- Everyone will listen to understand what others are conveying.
- Ask questions for clarification, not attack.
- Use the names that parties indicate they would want you to use when addressing them.
- Speak up if you need something.

All parties need to confirm that they will follow these guidelines.
STORY TELLING

Identifying Interests:
This is the most important part of the constructive approach to conflict resolution. It will usually take more time and effort than the problem-solving phase. During this phase:

• Allow each participant to fully convey their perception of what has occurred.
• Give each participant the opportunity to clarify their understanding of what has been said.
• As each person shares their perceptions, identify their procedural, psychological and substantive needs and confirm them.

Identifying Issues:
Reach a consensus on the issues to be resolved, remembering that if something is an issue for one party, it is an issue for everyone involved in the process. Issues are the questions that will have to be answered in order to meet the needs of the parties.

• Examples of Issues:
• What is required to ensure that traffic moves safely in school area.
• In what way can we ensure efficient use of teacher's time.
• How can a work schedule be set up to meet everyone's needs?
• How can both of us as parents be involved in our children's activities without creating disruption in their routine?
**Agenda Building:**

- The list of issues becomes the agenda for the problem-solving phase. It also creates a checklist to ensure a comprehensive agreement after the problem-solving process.

- As the agenda is developed, it allows the participants to see their issue has been acknowledged and will be addressed in a problem-solving process.

- The issues need to be structured into manageable pieces using language that is positive and task orientated. How an issue is framed will impact the number and type of options people will generate.

- It is important to identify all the outstanding issues prior to problem solving. This helps avoid frustration among the participants due to someone continually raising new issues.

- The order in which issues are resolved may be important. At times there may be a logical sequence where issues need to be resolved in a specific order. In other cases, it may be beneficial to work on an easy issue first to show progress, but don't leave the most difficult issue until last.
PROBLEM SOLVING:
This phase will often proceed quickly, especially if the storytelling phase was given the time and effort required to clearly identify party's needs and promote mutual understanding.

Generating Options:
During this phase generate as many options as possible for each issue.

In generating options, use brainstorming and observe the following:

• Quantity is important.
• Suggesting an option doesn't mean you will do it.
• Options which show imagination or innovation are encouraged.
• Options should seek to address as many interests of all parties as possible.
• Analysis of options will occur after all options have been generated.
• Request options from all participants.

After options have been generated, determine if everyone understands what is meant by each option and clarify understanding if required.

Analyzing Options:
After everyone understands the options, ask each party to consider the options. In considering options, parties will want to ask:

• Which options best meet my interests?
• Do the options resolve the issue?
• What are my alternatives to the options that meet my needs? Do I have an alternative to agreeing to any option that could better meet my needs?

Develop a consensus on which option all parties can support. In moving to consensus, ask the parties to identify:

• Which options do all parties feel do not adequately address their needs?
• Which options do all parties feel could adequately address their needs and require more discussion?
• Which options adequately address the needs of some parties, but not all parties?
Reaching Agreement:

Working with the options that all parties feel could adequately address their needs, try to determine if these options can be linked or improved to better address the interests of the parties.

Forge a consensus about which option addresses the interests of the parties best.

Test for Durability:

When a consensus is reached, test it for durability. Ask people to look again at their interests, the issue being addressed, the options and their alternatives to ensure all parties are satisfied:

• That there is no better option they could reach consensus on.
• That the agreed upon option meets each of their needs as well or better than their most likely alternatives to a negotiated outcome.
• That no one has grave reservations about the option which they are considering as a solution.

IMPLEMENTATION:

The efforts of the parties to this point in the process will be frustrated unless adequate thought and effort are put into implementation. In discussing implementation:

Responsibilities:

• Clarify who is to do what by when.
• Ask parties to anticipate what problems could arise implementation and how they would want to handle those problems.
Review:

- Have the parties discuss whether and how they will review the effects of their agreement.
- Ask parties how they would proceed with revising their agreement if circumstances required revision.

Closure:

*Closure* refers to some action that the participants can take to demonstrate to each other, and perhaps others, that their differences have been addressed and they wish to move on. Closure can be critical to the participants' satisfaction with the process, the durability of their agreement, and the likelihood of success in addressing future issues.

Examples of Closure:

- A handshake.
- Working on a new project together.
- Attending a social event together.