Negotiation skills for clinical research professionals

Negotiation as a skill is a key requirement for each and every job profile where dealing with multiple parties is involved. The important focus while negotiating should be on the interest then position. Key to every successful negotiation is advance planning, preparation, and patience as the objective is to create value and establish the terms on which parties with differing and often conflicting aims will co-operate. While preparing one should collect facts, know priorities, principles, identify common ground, decide on walk-away position, and try and identify the next best alternative. Negotiation is a set of skills that can be learned and practiced so that your ability to utilize relationship, knowledge, money, power, time, and personality to negotiate improves with each negotiation. In a successful negotiation, all parties win. Important thing to note is that not every negotiation involves money. Anytime you want something from someone else and anytime someone wants something from you, you are negotiating. Everything is negotiable and every day you negotiate with customers, suppliers, colleagues, your wife, and even your children. Negotiation is a game, and like any game it has its rules and tactics. Clinical Research professionals deal with various parties for different purposes at the same time; hence, they require excellent negotiation skills. Project Managers and Clinical Research Associates are the two most important roles in clinical research industry who require negotiation skills as they deal with various internal and external customers and vendors.

Key words: Clinical research skills, negotiation skills, skills for clinical research

INTRODUCTION

Negotiation may be defined as a process of producing a desirable outcome with the agreement of the other party using knowledge, time or power.\(^1\)

The level of an individual’s negotiation skills is based on two competencies:

**Strategic**
One’s ability to use the right mix of knowledge, time, and power to conceptualize the negotiation process determines the level of strategic competency.

**Execution**
One’s ability to efficiently implement the negotiation strategy determines the level of execution competency. One needs to have effective communication skills to be a competent executive.

While negotiating the focus should be on the interest then the position. The reason being position is a proposal or Negotiated Solution identifies only one pathway forward and is likely to be rejected whereas, interest is the *why* of

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**Abstract**

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the proposal, which usually identifies several pathways forward and pathway in common is often the solution sought to be achieved.[2] The motive while negotiating should be to ascertain interests of the opposite party and communicating our interest.

OBJECTIVES OF NEGOTIATION

Negotiation is a part of day-to-day life with various objectives like:
• Saving money, time, or effort,
• Getting a job or a contract or a project or an order,
• Getting better services, etc.
• Influencing behavior or changing relationship
• Sometimes people also negotiate for:
• Beating the opposition to prove superiority, or
• Winning an argument to satisfy ego

Over and above the above-mentioned objectives, in clinical research, one also negotiates for compliance and deliverables.

Steps for successful negotiation

Negotiation needs advance planning and patience because the objective is to establish the terms on which parties with differing and often conflicting aims will co-operate. Following are the steps for successful negotiation [Figure 1]:
1. Prepare well for the Engagement
2. Creating Value: develop effective and creative solutions that meet the needs of everyone involved in the negotiation.
3. Allow Creative Flexibility: drive innovative thinking, rather than aggression, confrontation, arguments or disagreements.
4. Understand Negotiation Styles: know your own style, as well as that of the counterpart. Also know your limitations, and how they can work for and against you.
5. Managing the Process: understand your movement through various stages of the process.
6. Handling Relationships: build strong relationships and develop trust.
7. Learning Mindset: keep abreast of changes in the industries in which we work. Continue learning and developing communication skills, as well as the techniques for relationship building, and persuasion.

TYPES OF NEGOTIATION

Co-operative/competitive
Co-operative negotiators look for a win-win situation where both parties know that they were able to get the best possible result; whereas, Competitive negotiators aim to

“win” in the negotiation. Their goal is to get as much value as possible for their objectives, whether their counterpart gets any satisfaction or not.

Inductive/deductive/mixed
Inductive refers to starting on small details and working upward until a settlement is reached. Deductive negotiations start with an agreed upon strategy.

Mixed negotiations are the most common; they are a blend of inductive and deductive methods.

Soft/hard/principled
Soft and hard bargaining involves negotiating a position rather than interests. Soft bargainers seek agreement despite great cost, and offer concessions as a way to create or preserve a positive relationship with the other side. Hard bargainers are competitive, hide their bottom line, and offer few concessions, if any.

Principled negotiation which is the recommended type of negotiation relies on interests rather than positions.

Phases of negotiation: Four main phases

Preparation: one needs to do their research well, update their facts, knowledge, and review previous examples or past precedents that might have bearing on the current situation prior to entering into a negotiation. When doing research and preparing for negotiations, there are some important considerations:
• Collecting facts
• Knowing priorities
• Knowing principles
• Identifying common grounds:

Agreeing on common ground in a negotiation means that there are some areas that can be excluded from bargaining, and that you are fostering a relationship with your counterparts.
• Identifying your walk away position:
What is the least that you will accept (or the highest price that you are willing to pay)?

• Identifying your next best alternative:

See if the issue can be settled before the bargaining phase begins if it meets your criteria as the next best alternative.

Exchanging Information: identifying the limitations and impacts to all parties and outlining options for consensus.

Bargaining: while bargaining never jump to a conclusion and also know when the bargaining is over.

Closing: secure the commitment to carry out the agreement and ask the other party to summarize their understanding of the agreement [Figure 2].

**Negotiation skills for clinical research professionals**

Clinical Research (CR) professionals deal with various parties for different purposes at the same time; hence, they require excellent negotiation skills. A course on negotiation skills must be included in the training and development programme for CR professionals.

The CR departments of pharmaceutical companies deal with the following internal and external parties:

- Global clinical development team for the placement of clinical trials. Generally, these negotiations require all three elements - knowledge (experience, and talent of the people to execute a particular clinical trial in the best possible manner), time (timelines, speed), and power (potential of the market once the product is launched, recruitment potential)
- Investigators for budget, compliance, and patient numbers. These negotiations mainly require effective communication skills and knowledge to negotiate the site budgets, achieve timelines, and target patient enrollment. Sometimes, power also has a role to play especially while dealing with non-compliant sites.
- Contract Research Organizations (CROs) to negotiate budget, achieve timelines, and also for the best services.
- Regulators for timely approvals using knowledge and effective communication skills.

In this article, we will discuss the negotiation skills required for the two most important roles involved in CR industry - Monitors, and Project Manager.

**Monitors/ clinical research associates**

The monitor is a key person for the conduct of a clinical trial at site level. [Figure 3] The quality of data, recruitment, and timelines are directly dependent on the monitor's negotiations with the site staff. Monitors also need good negotiation skills to negotiate the budget with the investigators. Considering the fact that the monitors are not the ultimate decision makers on most of the aspects, they need more of execution-oriented negotiation skills than the strategic negotiation skills; however, they must have proper blend of both execution oriented, and strategic negotiation skills.

Graphical representation of the blend of negotiation skill required for the monitors [Figure 4].

**Project managers**

Project Manager (PM) is a key person for the overall conduct of a clinical trial at the global or local level. [Figure 5] Completion of a clinical trial within the timelines, and planned budget entirely depends on the PM. PM's role involves making projections, providing directions to other team members, and decision making. For the role that the PMs have to play, they need greater strategic negotiation skill than the execution oriented negotiation skills.

Graphical representation of the blend of negotiation skill required for the PMs [Figure 6].
Hake and Shah: Negotiation skills

A training module on negotiation skills must be included in the training curriculum for CR professionals.

- Negotiation is a set of skills that can be learned and practiced so that your ability to negotiate improves with each negotiation.
- In a successful negotiation all parties win. Therefore, negotiation is not necessarily adversarial. Knowledge, power, time and personality are at play in every negotiation.
- Not every negotiation is about reaching a win-win solution.
- While negotiating, the length of the relationship is very important. Some (e.g., Labor) negotiations are about long-term relationships. The terms that you bring up in this kind of negotiation will have a long lasting effect on the company and its employees.
- A sustainable agreement is one which reflects the reality of business and real issues that people face.
- In negotiation, Time Really Is Money, because you can gain a lot of money for your organization by taking time to prepare in advance.
- Every negotiation involves money is a misconception. According to Roger Dawson, an authority on negotiation: Anytime you want something from someone else and anytime someone wants something from you, you are negotiating. Everything is negotiable and every day you negotiate with customers, suppliers, colleagues, your wife, and even your children. Negotiation is a game, and like any game it has its rules (principles) and tactics (gambits). Also, advance preparation is a must.
- Good negotiators strive for Win–Win outcomes.

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CONCLUSIONS

- A CR professional is as successful as his/her negotiations skill are; hence, a training module on negotiations skills must be included in the training curriculum for CR professionals.