CONSENSUS DECISION MAKING

Electricity Framework 5 year Review

October 22, 2007

Presentation will cover

- Definition of "Consensus"
- Principles for a consensus process
- Making it Happen
- What happens If consensus cannot be reached
- Some Myths & Misconceptions about consensus

CASA Definition

A process by which all those who have a stake in the outcome aim to reach agreement on actions or outcomes....

AUTHORITY

Government of Alberta will sanction and implement CASA decisions that meet two criteria:

– Consensus is reached among the stakeholders

– The decisions are based on that consensus

CONSENSUS PRINCIPLES

- Clear purpose and objectives
- Inclusive Process
- Voluntary participation
- Self design
- Flexibility
- Equal Opportunity

- Respect for diverse interests
- Accountability
- Time Limits
- Commitment to implement and monitor

PRINCIPLES

1. PURPOSE DRIVEN

   • Purpose of group and its objectives must be clear (terms of reference)

2. INCLUSIVE

   • Those needed to make a deal

   • Those who could block a deal

PRINCIPLES

3. VOLUNTARY PARTICIPATION

- Parties are free to participate
- Prepared to work with others to develop a solution

4. SELF DESIGN

- Parties design their own process
- CASA offers a template

PRINCIPLES

5. FLEXIBILITY

- What starts out as the problem may change
- Information can also change the scope or purpose of a project

6. EQUAL OPPORTUNITY

- To be fully engaged in the process
- To access information (technical, scientific, policy, minutes, reports, etc.)

PRINCIPLES

7. RESPECT FOR DIVERSE INTERESTS
   - No one perspective is right or wrong
   - Demands patience, tolerance and goodwill

8. ACCOUNTABILITY
   - Participants represent an identifiable constituency
   - Responsible for representing that group AND REPORTING BACK TO THEM
   - Responsible to uphold the process

PRINCIPLES

9. TIME LIMITS

- Establish timelines for meeting milestones (e.g. gathering information, assessing options)
- Recognize a consensus process takes time

10. IMPLEMENT AND MONITOR

- Parties must commit to implement agreements
- Plan for monitoring results/outcomes

MAKING IT WORK

BE COLLABORATIVE AND INTEREST-BASED

- Recognize process may start with "positioning" and allow for this
- Ask open ended questions
- Encourage constructive contribution
- Make sure your interests are clear and known to all
- Help others to clarify their interests
- Keep focusing on solutions/outcomes

MAKING IT WORK

- Include some people with experience
- Model collaborative behaviour
- Consider using a neutral to guide discussion
- Use round tables; post ground rules
- Take time to know each other away from the table

MAKING IT WORK

- TALK FIRST
  - About working together, let people talk about their concerns and issues, then, clarify the problem.
- LISTEN
  - to each other's perceptions
  - Seek to UNDERSTAND interests

- **GENERATE AND ASSESS OPTIONS LATER**

"Talking – Listening – Deciding" and knowing the sequence

Arriving at Consensus

Consensus is Reached when

- Each party is satisfied with a decision
  - The decision meets the needs of your stakeholder group
- Each party "Is Able to Live With" the outcome

When to Block?

- Whenever a decision is not in the best interests of your stakeholder group
- Each party has a right to block a decision
  – Though must be clear about WHY
- Other parties have a duty to address the interests of the concerned party

Can't Reach Consensus?

- For CASA project teams and zones:
  - Non-consensus items will be brought to the Board for further direction

CASA Fall Back Mechanism

- When non-consensus items are referred to CASA Board the discussion must include
  – A description of the issue
  – The positions of the disagreeing parties and their reasons for disagreeing
  – The Team's assessment of alternate decisions CASA (or some other authority) might make

"Some Truths & Misconceptions about Consensus

Silence is Consensus

- There is a responsibility to check silences
- The process must be conducive to everyone being able to speak and express disagreement
- Make sure constituencies are briefed – ask for a report back with their response

I Will Have to Compromise

- Not true! No one should ever give up what is important to them just so an agreement can be reached

- Know what is important to you from the outset and make this clear to the table

- The process must result in an outcome that is better for each stakeholder than his or her next best option

I Will Have to Abandon My Principles

- Fundamental values should never be horse-traded for the sake of agreement
- Recognize there are different principles at play – you may disagree with some of them
- Focus on what's important to you
- If your principles are violated, speak up
- No agreement is always a legitimate outcome

I will have to give up authority

- Not true! However you will have to share decision-making
- Unless the most important stakeholders 'buy into' an agreement there won't be one
- Consensus is about win-win, not about power or control

I will have to 'Be Tough"

- Can't hear the other person's interests if you are giving him or her a hard time
- The best participants are the ones who almost always get a good deal for the person across the table *as well*
- Get tough on the content not the people

One party can 'Hold us Hostage'

- The only legitimate reason for 'holding out' is if you believe your interests will be better met outside the process

- The group is responsible for ensuring that the 'holdout' is rejecting a proposal on grounds that would be compelling *if you found yourself in that person's shoes*

I'll have to work with 'the enemy'

- There are no enemies – only different needs and different interests
- Aim to do well for your side but not hurt your 'enemies'
- Exhibit goodwill, respect diverse interests, and stay focused on outcomes

CASA Secretariat

- Process caretaker and Project Management
- Liaison between CASA Board of Directors and project teams
- Provides start-up services for zones (guidance on the process, some facilitation, administration, materials, etc)
- Communications (media, articles, website)
- Facilitate stakeholder networking
- Facilitate meetings and workshops

References

- The Consensus Building Institute
  - A joint project by Harvard/MIT
  - www/cbi-web.org
- RESOLVE
  - Center for Environmental and Public Policy Dispute Resolution
    - www.resolve.org