

DESCRIPTION

Facilitation is used to guide meetings, mediate conflicts, and deal with contentious situations. In some cases, CICs need outside sources to provide facilitation. However, the nature of the CIC's job often requires the CIC to assume a facilitative role in meetings to help community groups define goals, avoid or resolve conflict, and make decisions.

A facilitator is a neutral party who moderates discussions, monitors speaking time, records key discussion points, periodically summarizes the discussion, and provides constructive feedback. Facilitators help create an atmosphere of trust and fairness by ensuring that all groups have equal say in the discussion and that everyone understands each other. In contentious situations, the facilitator maintains civility and keeps the discussion focused.

REQUIRED ACTIVITY?

No.

MAKING IT WORK

WHEN TO USE

Sometimes, the CIC plays a facilitative role by assisting the leader of a community group while the leader retains authority and takes the lead conducting the meeting. This works best when the purpose of the meeting is primarily to share information, generate ideas, or make decisions and there is minimal potential for conflict within the group. The CIC reinforces the group leader's efforts and acts as an observer, providing constructive feedback about what is helping and hindering progress. The CIC also can assist by acting as timekeeper or recording key points on a blackboard or flip charts. In this capacity, the CIC retains the objective role critical to providing advice on process. The group leader must trust the CIC and not be threatened by the feedback provided.

At other times, the CIC acts as an objective facilitator who mediates the discussion so the group's leader can actively participate in the proceedings. This is especially useful when the leader has a vested interest in the outcome, or when there is a potential for conflict to arise. When the group leader wants to participate as a member of the group, the CIC/facilitator may take charge of conducting the meeting.

Because a facilitator must be accepted as objective and neutral, outside facilitation is often necessary. Outside neutral facilitation is appropriate:

- At contentious sites with numerous stakeholders;
- Where there are environmental justice interests;
- In high-conflict situations;
- At sites with numerous competing interests;
- Where there is mistrust among participants;
- When leadership is not clear;
- Where participants mistrust the Federal government; and
- Where EPA has or is perceived to have a vested interest in results of the process.

FACILITATION

CICs can consult with a Regional Alternative Dispute Resolution (ADR) Specialist for advice on handling difficult situations and for more information about when to use facilitation or other ADR techniques. ADR Specialists can help CICs obtain third-party neutral facilitation or mediation services. (See the discussion of **Conflict Resolution** and Use of Neutral Facilitation in this section, and the attached list of Regional ADR Specialists.)

How to Use

CICs play a facilitative role by planning and conducting **Public Meetings**, informal community meetings, and meetings for Community Advisory Groups (CAGs) or Technical Assistance Grant (TAG) groups. The CIC acts as an objective, neutral party whose function is to help guide the discussion process, not participate in it. The CIC may help plan and make meeting arrangements, develop an agenda, and play a role in conducting and recording the meeting. The facilitator's role also is different from that of group leader, who often has a stake in the outcome of the meeting.

PLANNING THE MEETING

One of the most important aspects of facilitation is planning the meeting. This involves much more than helping with logistics and making meeting arrangements. The basic steps necessary to plan an effective meeting include the following:

- Determine meeting purpose (information sharing, problem solving or decision making);
- Consider meeting context (other situations that influence what you are trying to do);
- Identify stakeholders and/or attendees and their roles in the meeting;
- Assess participants' needs and definitions of success for the meeting;
- Choose an appropriate meeting place and room arrangements; and
- Decide on an appropriate decision making method (consensus, majority rule).

Building an Agenda

The agenda guides the meeting through sequential steps to reach a desired outcome. Follow these basic steps to develop an effective meeting agenda:

- Consider goals, context, participants' needs, scheduling, and room arrangements;
- Determine if further meetings will be necessary;
- Write down the meeting purpose and list desired outcomes;
- List and order topics that must be covered to reach desired outcomes;
- Explain the purpose of the meeting;
- Outline the desired outcomes;
- Review the proposed agenda;
- Define participants' roles;
- Identify the steps (*e.g.*, option review, questions and answers) necessary to reach desired outcomes;
- Determine the time necessary to complete each step or topic;

[See Public Meetings, Tab 32](#)



- Record key points or use a meeting recorder;
- Identify potential problems and solutions; and
- Review the draft and make adjustments.

Solving Problems

Neutral third-party facilitation is appropriate in highly contentious situations or where issues or personalities involved make conflicts likely. Lead participants through a process that requires them to take responsibility for identifying and solving problems. Build upon small agreements and try to move the focus from personalities to process and results. Emphasize the need to collaborate in looking for win/win opportunities.

Guide participants through a sequence of steps that address the following questions:

- What is the issue and how will we approach the problem in our discussion?
- What is the problem and why does it exist?
- What is the ideal state related to this issue?
- What are the best solutions to this problem?
- How will we implement these solutions?

Mediating Conflict

Conflict occurs when participants are not willing to move from positions based on a win/lose mentality. When there is potential for serious conflict, skilled mediation may be necessary. In these cases, CICs can consult with ADR specialists for advice and assistance.

When less serious conflicts arise, CICs can help move participants past disagreement to mutual gains. Focus attention on the collaborative process by helping participants concentrate on process rather than personality issues.

One useful technique for mediating minor conflicts consists of the following steps:

- Restate points made to empathize with each party's situation;
- Paraphrase what is said to compare your perception with that of the speaker;
- Discover underlying issues without assuming you know anything: ask probing questions and listen attentively. Verify your perceptions of unspoken assumptions, feelings, and thoughts;
- Encourage disputing parties to propose options without asking them to make commitments. Ask for and propose ideas for how to resolve parts or all of each issue in dispute. Explore options without pressuring movement toward agreement. Try not to move too quickly to the solution;
- Address one idea at a time. Concentrate on areas of agreement, not on disagreements. Search for additional opportunities for agreement; and
- If all else fails, agree to disagree, but do not move to this option until all opportunities for reaching agreement have been explored and exhausted.

FACILITATION

GETTING TO A DECISION

Reaching decisions involves looking for common ground and building upon a series of small agreements. There are many decision making methods. Two common methods are outlined below. When choosing methods, consider that the degree to which individuals “buy into” an agreement depends on how much ownership they have in the decision making process.

MAJORITY RULE:

This requires group members to consider options, discuss pros and cons, and vote. Participants agree that the group will adopt the option(s) that receive a plurality or majority of votes cast. Majority rule works best when the group has demonstrated a willingness to work together cooperatively, and when no one is so heavily invested in one or more options that they will not abide by the group’s collective decision.

CONSENSUS:

Consensus means agreement. Building agreement is a key aspect of the facilitator’s role. He or she creates a safe atmosphere for discussion and information exchange, identifies areas of agreement, and helps the group move forward through an organized set of steps necessary to reach agreement. The facilitator handles difficult or overbearing participants and helps disputing parties reconcile differences if conflict arises. The key is to foster an atmosphere in which participants see the value of using a collaborative approach and taking responsibility for the meeting’s success.

This requires lengthy collaboration. Agreement is reached after group members talk freely and at length, listen to each other’s views, and thoroughly review all ideas. Consensus requires respect for every participant’s ideas, opinions, and suggestions. While unanimity is not required, each participant must accept the points under discussion before they are incorporated in the group’s decision. This method of decision making is very time consuming and should not be rushed. A series of meetings is often necessary. Consensus is the preferred method when it is important for all participants to buy into the result because it gives each participant ownership in the decision making process. It works best when stakeholders are heavily invested in the outcome and the cooperation of all parties is necessary to achieve goals.

The basic steps for reaching a decision include the following:

- Agree on the purpose, desired outcomes, and ground rules;
- Choose a decision making method—if the group decides to reach a decision through consensus, select a back-up method to be used if the group cannot reach consensus;
- Identify the problem;
- Identify and process possible solutions—brainstorm, clarify ideas, group similar ideas together, rank and select options;
- Develop an action plan—delineate tasks and specify responsible parties; and
- Review the meeting.

Tips

- Explain your role as facilitator and explain responsibilities of participants up front.
- Facilitators must remain neutral.

- Be positive; set the tone for finding solutions.
- Start by getting agreement on the agenda, participants' roles, desired outcomes, ground rules, and the decision making method.
- Focus on the task and observe how the group is working.
- Ask open-ended questions to generate participation.
- Do not evaluate. Encourage speakers to explain their positions and provide background information that will enhance understanding.
- Ask participants to reserve judgement.
- “Listen as an ally” by:
 - Repeating the speaker’s exact words or paraphrasing to confirm understanding.
 - Building empathy.
 - Asking probing questions to elicit additional clarifying information.
 - Increasing the comfort level of the speaker by maintaining eye contact, leaning forward, or opening palms when requesting input.
- Share observations about the effectiveness of methods participants are using to resolve problems and make decisions.
- Suggest alternative procedures, if necessary, to help the group reach decisions or accomplish its goals.
- Record or designate a recorder to write down key points on a blackboard or flip chart to focus attention on what has been accomplished and to maintain a meeting record.

RELATED TOOLS/RESOURCES IN THE TOOLKIT

- [Public Meetings, Tab 32](#)
- [Superfund Regional Public Liaison, Tab 40](#)

ATTACHED ITEMS WITHIN THIS TOOL

- Attachment 1: Examples of Effective Room Arrangements
- Attachment 2: Guidelines for Keeping Good Flip Charts

OUTSIDE SOURCES OF INFORMATION

- Society for Professionals in Dispute Resolution
- National Institute for Dispute Resolution
- International Association for Public Participation
- Harvard Negotiation Program
- Program for Community Problem Solving

ATTACHMENT 1: EXAMPLES OF EFFECTIVE ROOM ARRANGEMENTS

Room set-up must allow participants to see each other and flip charts or pages posted on a wall. Chairs should move smoothly so participants can adjust their focus of attention easily. Allow enough space for all participants to be comfortable.

Here are a few ways to arrange a room for optimal communications:

Closed Circle or Rectangle Without Tables—Creates an informal atmosphere and encourages eye contact between participants. Reduces status differences between participants. However, the circle lacks a single focal point and can increase distractions because people focus on several different people.

A Closed Circle with Tables—Allows people to write and creates a convenient place for papers, coffee cups, etc.

Semi-Circle Without Tables—Place flip charts in the open end to create a focal point for participants. Reduces status differences between participants.

Semi-Circle Around a Table—Allows the group to focus on the facilitator and the flip charts and to write easily. Reduces differences in status between participants, and encourages interaction.

U-Shape with Tables—Chairs are placed only along the outside, allowing participants to focus on the facilitator and the flip charts. Allows participants ample room for writing, but they may have difficulty seeing other members of the group.

Herringbone with Tables—Two sets of tables are placed in a herringbone pattern, with the facilitator and flip chart in front. Participants can focus on flip charts, and have good eye contact with each other and the facilitator.

ATTACHMENT 2: KEEPING GOOD FLIP CHARTS

Keeping a visible record of the meeting encourages the group to remember ideas and agreements, avoid repetition, and stay focused on a task. Use flip charts to record words, ideas, options, and decisions offered by the group. Use an easel or series of easels with attached pads of blank paper. Have a multi-color collection of felt-tip markers and plenty of tape or tacks to attach completed pages to walls or easels for display. Either the facilitator or a designated recorder can do the writing. Completed flip charts also can be used to prepare minutes after the meeting.

Follow these general guidelines to ensure that flip charts are readable and useful to group members:

- Put the easel where it can be seen by all participants. Check by viewing it from all parts of the room prior to the meeting.
- Stand at an angle to the easel as you write and to its side while listening to the next speaker. Make sure you stand where you do not block anyone's view.
- Use two or more flip charts if you want participants to compare or contrast ideas or information.
- Write clearly in large, block letters about two-inches high.
- Leave at least two inches between lines.
- Write no more than ten lines per page and only on the top two-thirds of the sheet.
- Use as few words as possible.
- Ask for help or clarification if you do not know how to spell a word or record an idea.
- Verify with the speakers to be sure you are accurately reflecting their comments.
- Use abbreviations and symbols, but only if everyone understands them.
- Use several colored marking pens.
- Highlight key words with circles, boxes, underlining, arrows, asterisks, or contrasting colors.
- As you complete a sheet, tear it off, and post it on a wall. Make arrangements for assistance with this task beforehand so you do not miss information that should be recorded.



CONFLICT RESOLUTION/ADR

DESCRIPTION

EPA's Alternative Dispute Resolution (ADR) program provides resources CICs can use in special situations to facilitate decision making and to mediate conflicts. ADR refers to a process that uses an objective third party or neutral party to assist in resolving disputes. ADR is primarily a component of EPA's enforcement program but is an option for CICs under certain circumstances.

ADR can help CICs promote meaningful community involvement by fostering collaborative decision making processes and mediating conflicts as they arise. CICs can consult with Regional ADR Specialists to discuss options for using neutral facilitation, mediation, or other dispute resolution tools at hazardous waste sites.

REQUIRED ACTIVITY?

No. Although the 1996 Administrative Dispute Resolution Act (5 U.S.C. 571-583) directs agencies to establish alternative dispute resolution programs, CICs are not required to use ADR.

MAKING IT WORK

WHEN TO USE

Mediation can be useful when disagreements seem unresolvable. Mediation is a process in which a third party, with no decision making authority, assists disputing parties to reach a negotiated settlement. An expert mediator or panel of mediators assists the disputing parties by helping them identify and discuss issues of mutual concern, explore solutions, and develop mutually acceptable settlements. The disputing parties are responsible for devising their own solutions to the conflict with the help of a structured process established by the mediator.

Neutral facilitation is appropriate:

- At contentious sites with numerous stakeholders
- Where there are environmental justice interests
- In high-conflict situations
- At sites with many competing interests
- Where there is mistrust among participants
- In situations in which leadership is not clear
- Where participants mistrust the government; and
- When EPA has or is perceived to have a vested interest in the results of the process

ADR is most useful when:

- Time is a major factor
- Multiple or complex issues need to be resolved
- Failure to agree does not clearly benefit one party
- Tensions, emotions, or transaction costs are running high

CONFLICT RESOLUTION/ADR

- Communications between the parties have broken down; and
- Parties want or need to maintain some ongoing relationship

ADR is least useful when negotiations will substantively affect parties who are not present and cannot be represented. ADR also is not useful when there is a need to focus public attention or make an example of a “bad actor” or an emergency situation does not allow time for negotiation.

How to Use

CICs can consult with a Regional Alternative Dispute Resolution (ADR) Specialist for more information on the use of facilitation or other ADR techniques, and for assistance in obtaining a neutral or third-party.

A third-party neutral facilitator:

- Identifies stakeholders initially and throughout the process
- Maintains a level playing field for all participants
- Helps parties identify the issues that need to be discussed
- Helps clarify roles and purposes of the group
- Drafts procedural guidelines for group process
- Builds trust with parties through confidential pre-meeting and between-meeting interviews
- Breaks through impasses that develop because of technical complexity, political visibility, poor communication, personalities, or past history
- Summarizes and documents agreements to date
- Maintains the momentum of the process
- Coordinates and builds linkages among participants; and
- Ensures that all issues are addressed

In addition, Superfund Regional Ombudsmen or other staff in some regions act as Project Officers or Work Assignment Managers for a contract providing neutral facilitation, mediation, and conflict resolution services to support the community involvement program. Contact your Superfund Regional Public Liaison for more information.

RELATED TOOLS/RESOURCES IN THE TOOLKIT

- [Contract Management, Tab 11](#)
- [Public Meetings, Tab 32](#)
- [Superfund Regional Public Liaison, Tab 40](#)