

NEGOTIATION METHODS IN THE SECTOR OF BANK LIABILITIES – ANALYSIS AND EVALUATION

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Abstract: Negotiations concerning bank liabilities are conducted in the difficult sphere of the client's debt. An institutional creditor, a bank, often dispirits the debtor who feels that they are not an equal partner in negotiations and assumes their unfavourable result. The debtor often avoids confrontation with the bank's negotiators and worsens their own situation. On their way to agreement, the negotiators have to overcome both the client's financial difficulties and their psychological barriers. The main goal of the article is to assess the negotiation methods used by Polish bank negotiators in the debts sector. To this end, own research (surveys and interviews) were conducted in the group of both negotiators and debtors of one of the largest banks in Poland.

Keywords: bank, debt, debtor, negotiations.

JEL Classification: G21

1. INTRODUCTION

Increased interest in the activities performed on the debt market in Poland began with the systemic transformation, Debts of coal mines, steelworks and other state-owned enterprises were then then bought to cover tax liabilities. Amendment of the tax law in 1995 suppressed this activity. Consequently, the interest in such debts dropped drastically, making way for commercial debts. The real breakthrough, however, came after 2003, when the Supreme Administrative Court of Poland adjudicated that no consent of a debtor is required for the assignment of debts. Such decision make it possible to trade in debts. Subsequent amendments enabling establishment of securitisation funds, buying debts for portfolio, additionally stimulated development in this area, as well as the growth of debts in all sectors. As BIG Info Monitor reported, in mid-2014 the outstanding debts of Poles exceeded PLN 40 bn and over 2.3 m peoples were in arrears with their payments [18]. Systematically growing number of borrowers with problems with repayment of their liabilities led to even further development of the debt market, where various tools and methods were developed to eliminate and reduce the resulting damages.

The main aim of this paper is to evaluate negotiation methods used by Polish bank negotiators in the debt sector. To this end, own research was conducted (questionnaire surveys and interviews) either in the group of negotiators or the group of debtors of the one of the largest bank in Poland.

2. FORMS OF NEGOTIATIONS IN THE BANK DEBTS SECTOR

Negotiations concerning bank debts are conducted on a difficult plane which involves the customer's debt. An institutional creditor - a bank, frequently discourages a debtor, who feels an unequal partner in negotiations, presuming their unfavourable result. Many times, debtors avoid confrontation with bank negotiators, thus even make their situation worse. They do not realise that bank

employees or co-employees - called debt negotiators or debt collectors - strive at establishing a direct contact mainly in order to reach an agreement concerning debt repayment. On their way to agreement, negotiators must overcome either financial difficulties on part of customers, or their psychological barriers [16].

The aim of negotiations is to explain the circumstances, in which an outstanding debt occurred and to fix an optimum repayment schedule, satisfactory for the bank and achievable for the customer. Since customers often remain passive - they escape from their responsibility - the negotiator's task is to make the customer aware of the necessity to face the difficulties. To this end, they most often undertake the following actions [9], [12], [17], [20]:

- making customer aware of legal consequences - a psychological aspect,
- making customer aware of financial consequences,
- making customer aware of social consequences,
- making customer aware of family-related consequences,
- appealing to honesty.

There are relatively frequent reports of aggressive, uncivil ways of putting pressure on debtors. Despite the fact that banks emphasise their employees should comply with the Ethical Code, at the same time they put extreme pressure on their results. In turn, debtors, expect being treated with respect, which does not imply that a polite talk is always motivating enough. In order to be successful, negotiators use various forms of negotiations. On the basis of a critical analysis of the literature on the subject, five forms of negotiations were singled out [1], [2], [3], [4], [5], [6], [7], [8], [10], [11], [13], [14], [15], [19], [21]:

- from the position of a 'controller',
- from the position of a 'helpful hand',
- from the position of 'I close the case',
- from the position of 'I will put things here in order',
- from the position of 'I don't care'.

The form of negotiations conducted with a customer from the position of a 'controller' imposes a very formal course of talk. Negotiator conducts a peculiar inspection explaining the reasons underlying the arrears. He or she asks the customers to account for their neglect shown towards their creditor and imposes solutions. Of course, negotiator takes into consideration the situation and capabilities of the customer, nevertheless, such form of negotiations considerably restricts the possible tendency on part of the debtor to make claims. Other attitude shown by a debt collector could lead, for example, to the situation in which debtors will completely dissociate themselves from their responsibility. Negotiations from the position of a 'helpful hand' evoke the atmosphere of understanding while making arrangements. Negotiator empathises with the customer and shows the will to provide help. He or she looks for the best way to mitigate the dispute. Unfortunately, many customers do not comply with the arrangements made during such meeting, because they are calmed down by the fact that their case is handled by a favourably disposed negotiator.

'I close the case' involves the way of negotiating with an imposition of a time pressure, which is - any way - imposed by actual critical deadlines, e.g. a deadline for bringing legal action to get an order for payment. A customer has to relatively quickly state whether they assume an obligation to repay their liabilities and undertake first steps in the form of repayments comparably fast. Such pressure and the spectre of a period of time elapsing for amicable settlements frequently motivate debtors favourably and they began to solve their financial problems, undertaking specific actions. A similar form of negotiations is 'I will put things here in order'. There is no time for a list of complaints. It is a final deadline to put things in order and for clear decisions of both the negotiator and customer.

Negotiations with the 'I don't care' prevailing attitude are often an effective method to reach the customer. A debtor is convinced that a debt collector will ask or put pressure on them to get a payment towards their debt and - instead of focusing on the way to overcome financial problems - they are imaginative in the way to provide a negotiator with a clever and elusive answer. They feel the masters of their situation, which is most frequently destructive for them. Negotiator's indifference makes it possible for a debtor to understand that it is their business, the fate of their financial situation that are currently at stake and they can only help themselves the best. Such negotiator's attitude may motivate the customer to change their attitude from passive into active one.

The form of negotiations depends on many factors, such as negotiator's preferences, type of customer, circumstances and legal conditions for a given debt. There may also occur certain differences in interpretation of the mentioned forms of negotiations by various negotiators. Nevertheless, the assumptions are more or less the same and the main aim is to make an agreement with the customer, on the basis of which they repay their debts without the need to undertake more radical and expensive legal measures.

3. METHODOLOGY OF CONDUCTED RESEARCH

For the needs of the Paper, surveys and interviews were conducted, the main aim of which was to assess the

effectiveness of negotiation methods used in the bank debts sector, in the debt sector, both from the perspective of negotiators and debtors. Following consultations with a group of specialist in the debt sector, the following main parameters were determined for negotiations in the surveyed area:

- time and place of negotiations,
- features of a negotiator,
- stimuli to be used in negotiations towards debtors,
- negotiator's attitudes.

Next, a hypothesis was formulated that the said parameters affect the results of negotiations, however, not necessarily in the proportions recognised by negotiators. The first part of surveys was conducted among the negotiators of the one of the biggest banks in Poland, The survey in the group of negotiators was conducted with the use of a questionnaire, a questionnaire form constituting the survey tool. It was a non-random sampling. The questionnaire form contained 10 questions, including 7 substantive questions and 3 demographic questions. 8 questions were closed, in 2 questions balanced measurement scales were used.

The questionnaire form was correctly filled in by 49 bank negotiators from the debt sector. Interviews were conducted in the group of 62 respondents, selected among debtors who made decisions to repay their debts as a result of a meeting with negotiator.

The survey was aimed to resolve the following problems:

- What place and time do both parties to negotiations think favourable for the agreement?
- What features of a negotiator are the most important for the favourable effects of negotiations?
- What stimulus makes the customer be willing to change their position during negotiations and make a decision to repay their debt?
- What attitude of a negotiator is the most effective?
- How do the negotiator-debtor relationships change during their cooperation?
- In what way is the pressure used during negotiations?

The basic information concerning the surveys conducted in both groups - of negotiators and debtors were presented in Tables 1 and 2.

4. SURVEY RESULTS

While proceeding to the basic part of the survey, having characterised the surveyed groups (negotiators and bank debtors), it must be noted that data collected from surveys and interviews provide information on the opinions of respondents about the selected aspects of the debt market in Poland, not about the actual status in this respect. However, taking into account that it was possible to include either a group of negotiators dealing with bank debts and the debtors of one of the Polish banks, it is possible to draw reliable conclusions and formulate important recommendations for the sector. In the individual interviews with debtors - bank customers - the same areas were taken into consideration that were included in the questionnaire for the negotiators.

Table 1 Basic information concerning the conducted survey – negotiators

The main aim of the survey	Assessment of the selected negotiation methods used by negotiators
Specific aims	<ul style="list-style-type: none"> – Familiarising with the preferences concerning the proper place and time to conduct negotiations with a debtor – Identification of the negotiator's features, which are perceived by negotiators as the most important for effective negotiations – Familiarising with the negotiators' opinions about the stimuli affecting the debtor's decision to repay their liabilities – Determination of the most effective form of conducting negotiations with a debtor – Determination of the tendencies in the negotiator-debtor relationships as a result of cooperation and the degree to which negotiators may exert pressure towards customers
Survey method	Questionnaire
Research tool	Questionnaire form
Year of survey	2014
Sample selection	Specific
Size of the sample	49 negotiators
Criteria for sample selection	Negotiators of the one of the largest banks in Poland
Specific criteria for the survey subject	The survey may cover only negotiators of debts in the banking sector
Demographic criteria concerning participants	None
Information on survey results	Random employee survey conducted at the annual meeting of negotiators of one of the Polish banks.

Source: own collaboration

Table 2 Basic information concerning the conducted survey – debtors

The main aim of the survey	Familiarising with the debtors' opinions on the effectiveness of selected negotiation methods
Specific aims	<ul style="list-style-type: none"> – Collecting information on the place and time of negotiations – Identification of the most important features of a negotiator – Identification of the stimuli which affected debtor's position (decision to repay their debt) – Determination on the change in negotiator-debtor relationship in the course of their cooperation
Test method	Personal interview
Research tool	Interview form - guidelines for an interview
Year of survey	2015
Sample selection	Specific
Number of interviews	62 debtors of one of the Polish banks
Criteria for sample selection	Randomly selected persons among customers who made decisions to repay their debts as a result of a meeting with negotiator
Demographic criteria	None
Information on survey results	Interview conducted according to the guidelines determined for an interview, on the principle of a free talk, with no requirement of a specific order of subjects to be kept.

Source: own collaboration

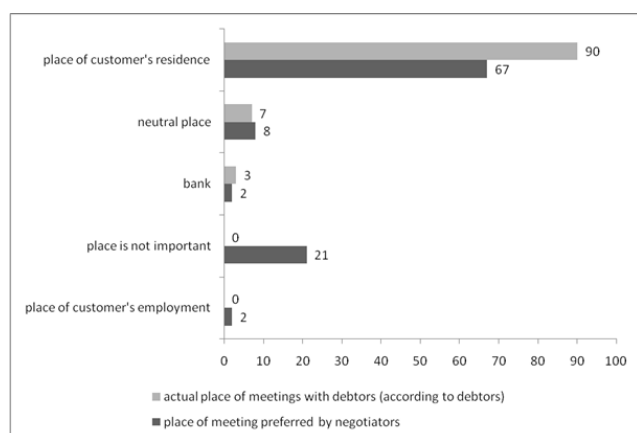


Figure 1 Place preferred by negotiators and actual place of negotiators' meetings with debtors [%]

Source: own source on the basis of survey.

In the first question of the questionnaire form negotiators were asked what place and time both parties to negotiations think favourable for the positive result of an agreement. 67% of respondents indicated the place of

customer's residence, 21% stated that the place is not important. Whereas, 8% of respondents thought neutral places as appropriate. Only slight percentage (2%) indicated the place of employment and a bank as appropriate places. It may result from the fact that it is the easiest to arrange a meeting when visiting customer at home. It may also be supposed that debtors feel more confident at their own place, thus they are more eager to talk about their problems (they do not avoid confrontation with a negotiator). It was confirmed by the answers given by the debtors. Surveyed bank customers (debtors) remember the place and date of their first meeting with a negotiator - 90% responded that the meeting was held at their place of residence, 7% indicated a neutral place, and 3% - a bank (Figure 1).¹

¹ Reference to the first meeting results from the fact that this meeting constitutes a breakthrough in negotiations with a debtor, opening or closing the way to agreement.

Table 3 Time preferred by negotiators and actual time of meetings with debtors

	Time of meeting with a debtor preferred by negotiators (% of surveyed negotiators)	Actual time of negotiator's meeting with a debtor (% of surveyed debtors)
In the morning (before 12:00 p.m.)	8	29
In the afternoon (between 12:00 p.m. and 6:00 p.m.)	37	58
In the evening (after 6:00 p.m.)	8	3
The time does not affect the result of negotiations	47	-
The debtor does not remember the time of meeting	-	10

Source: own collaboration

Then, negotiators were asked what time of the day they think the most favourable for the positive result of an agreement. 47% of respondents stated that the time is not important for the course of negotiations. 37% of respondents thought the best time is the afternoon (between 12:00 p.m. and 6:00 p.m.), whereas 8% of respondents indicated early morning (before noon) and evening (after 6:00 p.m.). The surveyed bank debtors responded that their meetings with negotiators were most often organised between 12:00 p.m. and 6:00 p.m. (58% of respondents) and meetings were also very often held in the morning - by 12:00 p.m. (29%). 3% of the surveyed debtors indicated that their meetings with negotiators were held in the evening - after 6:00 p.m., 10% of the customers do not remember the time of their meetings (Table 3).

In the third question, the respondents were asked to indicate up to four features or skills a negotiator should have, which - in their opinion - have the greatest impact on successful negotiations. Consultations with negotiators and analysis of the literature on the subject made it possible to determine the most likely features and present them to be selected by surveyed negotiators. 67% of them responded that the most important negotiator's feature to achieve a favourable result of negotiations is communicativeness. 59% of respondents indicated determination as the second most important feature. 49% of negotiators showed the ability to create confidence. The remaining features stated in the questionnaire form were as follows: 47% - ability to present arguments, 33% - firmness, 31% - ability to exert influence, 27% - politeness, 25% - inquisitiveness, ability to listen attentively, 14% - knowledge of debt enforcement law, 6% - empathy. None of the respondents thought that the knowledge of law in the field of economy is as important to be quoted as one of the fourth most important features (Figure 2).

The debtors were also asked what two features of negotiators were the most noticeable or exerted the greatest influence (Figure 2). It turns out that firmness is the feature by which a bank customer remembers a negotiator - 52% of respondents indicate. The other features got lower percentages: 42% determination, 36% knowledge of debt enforcement law, 36% ability to exert influence, 32% communicativeness, 29% ability to create confidence, 23% empathy, 10% inquisitiveness, ability to listen attentively, 7% politeness. None of the respondents thought that the knowledge of law in the field of economy or ability to present arguments were very important.

In the next question negotiators were asked what stimulus - in their opinion - made the customer be willing

to change their position during negotiations and make decision to repay their debt?

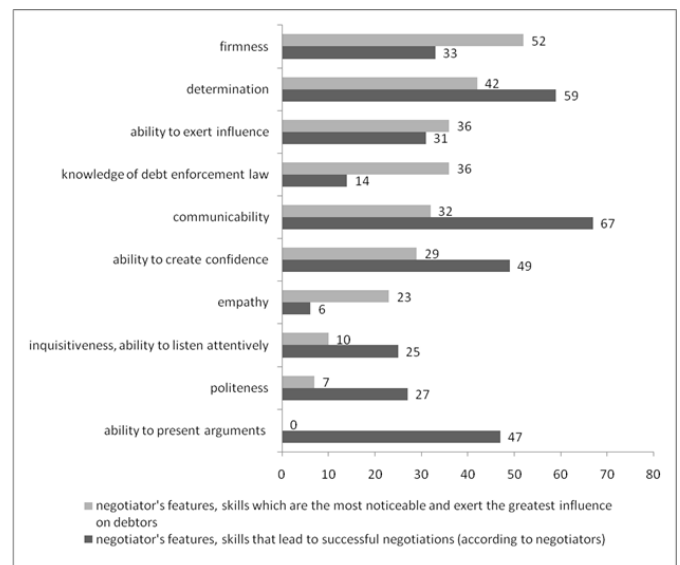


Figure 2 Features of an effective negotiator in the opinions of negotiators and debtors [%]

Source: own source on the basis of survey

6 stimuli were chosen and next, each negotiator was asked to indicate maximally two of them that they come across in their work the most often. 63% of surveyed negotiators believe that making debtors aware of the financial consequences relating to their passive attitude most often makes them change their position from passive into active one. 39% indicated - as a stimulus - the fear of consequences for their families. Seizures of a bailiff, reducing income of a household are perceived as a natural consequence of passivity - 31% of negotiators believe that they are a peculiar mobilisation impulses for customers. Also 31% of respondents believe that becoming aware of legal consequences in the form of arduous enforcement proceedings, or recording a customer in a reserved customers base constitutes a reason to change the customer's attitude. Fear of family's reactions was indicated by 12%. This phenomenon was singled out as a stimulus because it is very common. Indiscretion of negotiator's visits, hiding personal problems from the family frequently motivate a debtor to make decision to solve the problem. Only 6% of negotiators believed that it is a sense of honesty that motivates debtors to repay their debts.

Answers given by debtors were slightly different. 29% of bank customers stated that becoming aware of legal and financial consequences was the main reason to change their attitude towards their liabilities in favour of their creditors. 23% of surveyed debtors stated that it was a negotiator who

became their mobilization stimulus to undertake an action. 13% indicated fear of their families and 6% - fear of consequences for their families. Nobody stated that their honesty made them repay their debts (Figure 3).

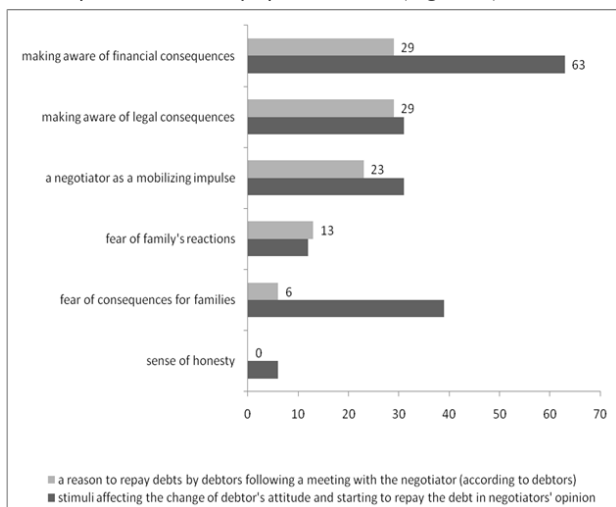


Figure 3 Stimuli making debtors change their position and make a decision to repay their debts [%]

Source: own source on the basis of survey

In the next question of the questionnaire form negotiators were asked to indicate maximally two forms, methods to conduct negotiations with a debtor, which - according to them - bring the best results (problem solution). 86% of negotiators believe that assuming a 'helpful hand' attitude constitutes the best way to reach a customer and, consequently, solve the problem. 31% of the surveyed indicated the 'I close the case' attitude. The 'controller' attitude is appropriate according to 12% of the surveyed, while 6% believe that customers respond the best to the co-called 'indifferent official'. Only 2% of negotiators indicated the 'order restoring' attitude as the most effective.²

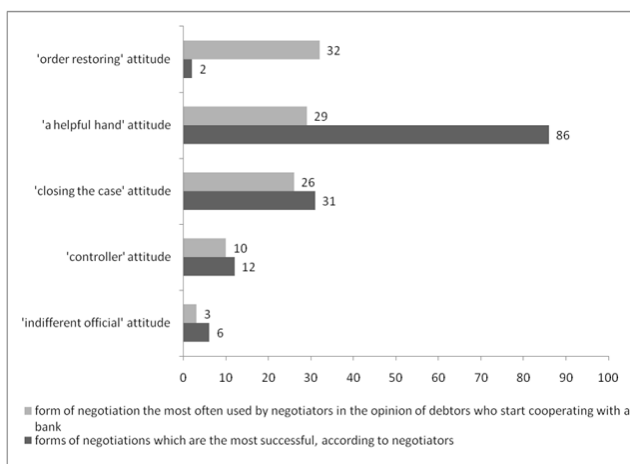


Figure 4 Negotiator's attitude bringing the best result in negotiations [%]

Source: own source on the basis of survey

The group of customers who started to cooperate with their creditors following negotiations was asked a similar

question. 32% of them perceived the negotiator as 'order restoring', 29% recognised 'a helpful hand' in him, 26% - a person 'closing the case', 10% - a 'controller' and 3% an 'indifferent official' (Figure 4).

Assuming that a meeting with negotiator is stressful for a debtor (it almost always involves problems for the customer) and, necessarily affects the - at least - cool attitude towards the negotiator, negotiators were asked to indicate how debtors' attitude changes during negotiations.

66% of negotiators believe that debtors' attitude towards negotiators changes - softens, and, as a consequence, their relationship improves (14% of the surveyed simply stated it improves considerably). The remaining 14% of respondents do not see any changes, 4% discern deterioration of their relationship and 2% of them - considerable deterioration.

The situation is slightly different from debtors' perspective (Figure 5). 42% of surveyed debtors stated that the negotiator-debtor relationship considerably improved during negotiations and 39% of respondents perceived an improved relationship. 16% of bank customers do not see any changes in the relationship, 3% stated that it deteriorated. This good result may involve the fact that only those debtors who started to repay their debts participated in the survey (no debtors were surveyed who would have enforcement proceedings initiated against them since negotiations proved unsuccessful).

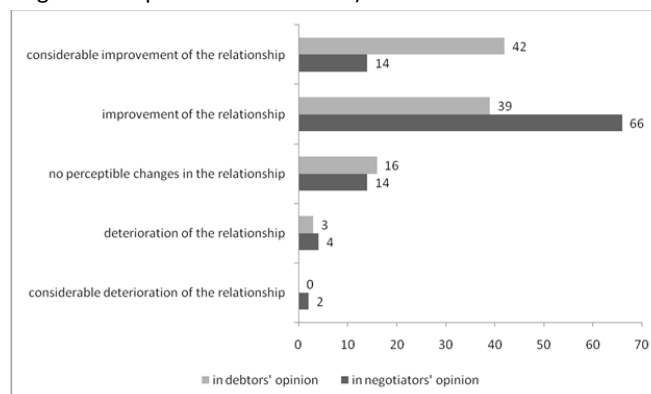


Figure 5 Negotiator-debtor relationship during negotiations [%]

Source: own source on the basis of survey

Further on, an attempt was made to identify how the debtor's attitude determined the way of negotiator's work. Five the most frequent and the most characteristic debtor's attitudes were indicated (see item 2). Negotiators were asked to state their reactions to those attitudes - whether they increase or decrease the pressure.

An aggressive reaction on part of the customer was stated as the first. It turned out that 35% of negotiators do not change the pressure towards a debtor under influence of their aggression. 31% decrease pressure, 14% decrease pressure considerably, 14% increase pressure, whereas 6% increase pressure considerably.

They were asked to describe their behaviour when negotiations are held with the customers who have already reported a complaint concerning the cooperation with their creditor or intends to do so. It turns out that 45% of negotiators do not change their tactics, 29% decrease

² Surveyed negotiators were also provided with the opportunity to indicate an attitude other than those stated, however, none of them did it, which may indicate that the questionnaire form included a complete spectrum of attitudes known to negotiators in this segment of the debt market.

pressure, 2% decrease pressure considerably, 20% increase pressure 4% increase pressure considerably.

Customers frequently deliberately mislead negotiators. It turns out that it is of crucial importance for the exerted pressure. 41% of negotiators increase pressure in such situation, 39% increase pressure considerably. 12% of the surveyed do not change their tactics, 4% decrease pressure and the remaining 4% decrease pressure considerably.

In case of customers who do not comply with their arrangements, 51% negotiators declare that they increase pressure considerably and 41% increase pressure. Only 2% of the surveyed do not change their tactics, the same percentage decrease pressure. 4% of respondents decrease pressure considerably.

41% of surveyed negotiators do not change their tactics towards customers who start successful cooperation with negotiators. 33% decrease pressure exerted on customers, 12% decrease pressure considerably and 14% increase pressure. None of negotiators increases pressure considerably towards cooperating debtors (Figure 6).

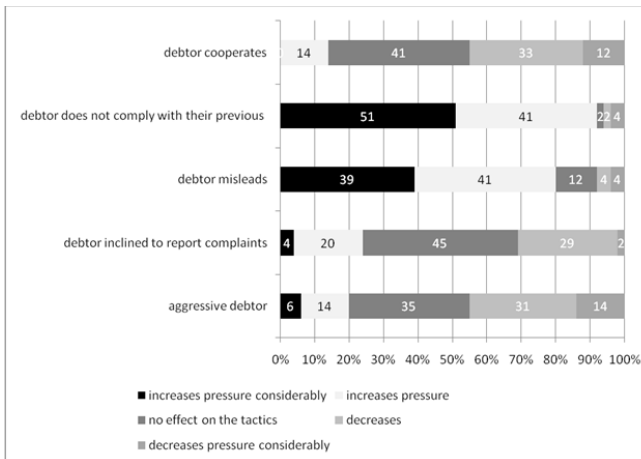


Figure 6 Effect of debtor's attitude on a negotiator's way of work [%]

Source: own source on the basis of survey

From the information obtained from debtors it results that all surveyed persons were under pressure during negotiations, though its degree was very diversified. 52% of surveyed debtors felt strong pressure exerted by a negotiator, 3% of the debtors stated that they were under strong pressure. 35% of respondents felt moderate pressure 10% - weak pressure (Figure 7).

5. DISCUSSIONS

The conducted, corresponding surveys showed either common and divergent aspects of the assessment of negotiation methods by negotiators and debtors. The survey involved six areas. The first one is *time and place of negotiations*. Either negotiators (67%) and customers (90%) indicated the place of customer's residence as the venue for meeting. From negotiators' perspective, the choice of the place of negotiations probably results from the fact that is easier to establish contacts with customers at their home. A customer is more inclined to talk in direct contact and this can be ensured by a visit at their place of residence. Debtors' answers confirmed this regularity. As far as time of meetings is concerned, 47% of negotiators stated it did not affect the negotiations, 37% indicated afternoon hours. 58%

indicated afternoon hours as appropriate for meetings, 29% - the morning hours. Such result is probably conditional upon the very presence of customers at home and negotiators' habits. Thus, it is determined by individual conditions, with the prevailing rhythm of life, when it is more likely to meet the customers in the afternoon.

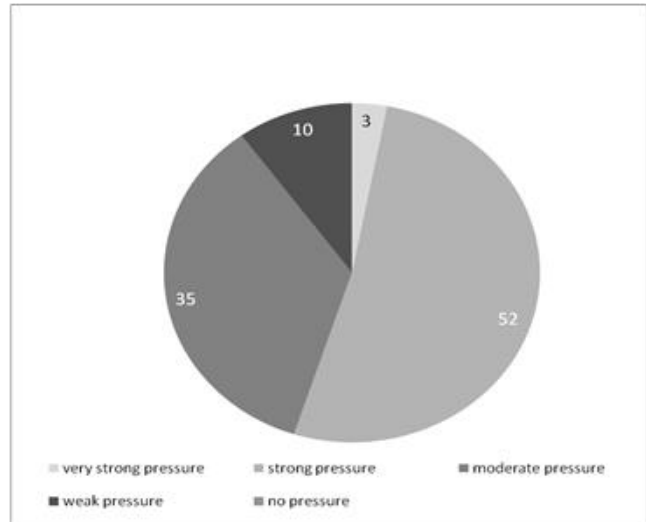


Figure 7 Pressure exerted by negotiators on debtors (in debtors' opinion) [%]

Source: own source on the basis of survey

The second surveyed area involves *features of an effective negotiator*. Negotiators declared that their success in this area is determined the most by the following: *communicativeness* (67% of respondents), *determination* (59%) and *ability to create confidence*(49%). In order to provide debtors with the opportunity to declare clear choices, they were asked to indicate only two features of a negotiator, unlike negotiators themselves, who were asked to state four. It turned out that customers have different opinions as to the negotiator's most important feature. They indicate *firmness*(52% of respondents) as being the most important. The next feature was *determination* (42%), and *knowledge of debt enforcement law* (36%) and *ability to exert influence* (36%). It was assumed that the features which were the most noticeable by debtors are exactly the ones that affect the course of negotiations, since - as being strongly perceptible by customers - they determined - to a considerable extent - their attitudes and (automatically) the course of negotiations. It also turns out that negotiators overestimated the importance of their politeness (27% of negotiators) and underestimated the force of empathy (6%). In turn, the customers indicated empathy as more important (23% of respondents), whereas politeness was indicated only by 7% of surveyed debtors. Negotiator's ability to present arguments was completely ignored by customers. It is likely that the dominant firmness and determination diverted attention from the remaining features. Customers expect empathy, not necessarily combining it with the ability to listen attentively to a negotiator.

Another area covered by the survey was *a stimulus that made the debtor change their attitude*. Negotiators definitely indicated *fear of financial consequences* (63% of respondents). It turns out that debtors (29% of the

surveyed) admitted that the fact made them start making repayments. However, the survey showed that they were equally effectively motivated by their *fear of legal consequences* (29% of debtors). It infrequently results not as much from the fear of court proceedings and contacts with legal authorities, as from the fear of the unknown. 23% of debtors also indicated *negotiator as a mobilizing impulse* to commence appropriate activities concerning their own liabilities. A stimulus in the form of *fear of family's reactions* was mentioned by 12% of negotiators and 13% debtors. Negotiators overestimated the *concern on part of customers against consequences of enforcement proceedings for families*. Such reason was indicated by 39% negotiators and only 13% debtors. What is interesting, negotiators indicated *honesty* as the possible reason to change customer's attitude (6% of negotiators), no debtor, however, stated the above aspect (which may suggest that they do not feel guilty of the existing situation, but rather its victim).

Searching for the most effective *negotiator's attitude*, that proves the best in negotiations brought about a quite surprising result. 86% of negotiators indicated as the most effective - the *"helpful hand" attitude*. In the corresponding part of individual interviews with debtors, only 29% of them perceived the role of a negotiator as such. 32% of customers perceived a negotiator rather as *'order restoring'*, 26% *'closing the case'*, 10% - a *'controller'* and only 3% as an *'indifferent official'*. Only 2% of negotiators believed that the *'order restoring'* attitude is effective, 12% assesses as such the *'controller' attitude*, 31% *'I close the case'* and 6% *'indifferent official'*. The difference in the assessments may result either from various views on effective negotiation attitudes on part of negotiators and debtors, as well as from different perception by a debtor of negotiator's intentions from intended ones.

Both negotiators and customers were comparatively unanimous while assessing their *mutual relationship*. 80% of negotiators and 81% of debtors indicated that their *relationship improved*. Whereas, 66% of negotiators thought their relationship *improved* and 14% thought that it *considerably improved*. Whereas, customers stated that their relationship *considerably improved* and (42%) that they improved - 39%. 14% of surveyed negotiators and 16% of debtors did not see any changes in their relationship. *Deterioration in relationship* was reported by 4% negotiators, whereat 2% indicated considerable deterioration. Only 3% of customers stated *deterioration of relationship*, no debtor from the group stated that such deterioration was considerable.

The survey among negotiators made it possible to consider the evolution of tactics concerning the use of tool such as *pressure*, dependent upon customer's attitude (Figure 7). For the needs of this Paper, the most important seems to be the result of survey concerning pressure exerted on cooperating customers, since the survey was conducted in the group of such debtors.

41% of negotiators stated that debtor's attitude focused on cooperation *does not make them change their tactics involving pressure*. 14% admitted that they *increase*

pressure, towards such customers, 33% of surveyed *decrease it*, 12% *decrease it considerably*. The majority of customers admitted they were under *strong pressure* (52% of respondents). 35% debtors evaluated the *pressure* as *moderate*, 10% as *strong* and *very strong* - 3% of respondents. It may be conjectured that negotiators assume *pressure* towards debtors, and their favourable attitude may decrease it at most.

The conducted survey confirmed the hypothesis stating that insofar the indicated negotiation methods used by negotiators favourably influence debtors, those that are perceived as the most favourable do not necessarily bring about actual positive effects. Debtors' answers largely present negotiators as *'order restoring'*, who *'reached'* customer in a *firm* and *determined* way, who has *knowledge of debt enforcement law*, exerts *pressure* on the customer to make them act. Debtors who are aware of good intentions on part of a negotiator consequently change their attitude towards their debt, thus *mutual relationships of the parties most often improve*. However, the image of a negotiator does not mainly reflect the *helpful hand attitude*, as it may seem to negotiators, and their *communicativeness* is not the feature determining success the most, which does not change the fact that it is important.

It is also worth remembering that apart from the most effective negotiation methods selected during surveys, methods that were less supported by the surveyed are not without significance. It may be confirmed by the fact that the customers indicating them are the same customers who surrender to them and, consequently, succeeded in negotiations. For example, an *indifferent official* reached 3% of surveyed debtors and was also successful. The conducted survey made it possible to identify the negotiation methods most frequently used by bank negotiators from the debt sector. However, it must be emphasised that their effective use, proper selection and intensity depends on negotiator's decision, and this decision is - in turn - determined by intuition gained with experience.

6. CONCLUSION

In the 21st century, more and more people contend with financial problems. Despite the fact that the sale of financial instruments, such as credits, was considerably restricted with more stringent requirements concerning customers' financial capacity, the number of debtors is still significant. Frequently, these are customers of many financial institutions, who have fallen into a debt spiral and are not able to control their financial situation on their own. It disturbs the comfort of living of both the debtors and their families. Consequently, the demand for experienced negotiators who can stimulate people to undertake actions thanks to their practice is growing even more. With their knowledge of debt enforcement law and empathy, they escalate effects of their common efforts. With good will of creditors, debtors and negotiators, debts encumbering whole families may become less arduous burden, and - first of all - the one that does not deprive people of their feeling of financial security.

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