- COACHING CONTRACTS & AGREEMENTS

How Contracts and Agreements Keep Coaching Clients in the Driver's Seat.

Coaching is a specific profession. It is clearly different from personal development, therapy, training, consulting, analysis, etc. Consequently, professional coaching has a frame of reference, objectives, tools and means that need to be specified *before* starting a relationship with any specific client. Much as in any other profession, this clarification is communicated to the client by an explicit professional agreement, or initial *contrac*t.

This *initial* contract first serves to position each coach in his or her specific frame of reference and second to limit the scope of the professional relationship and thereby protect all the contracting partners. This *initial* contract defines the coaching posture *before* the coaching relationship begins with a specific client, well before a real coaching process is implemented, and well before it becomes useful to involve clients in establishing a number of other "mini-contracts" or coaching agreements.

Obviously, the study of different types of contracts in diverse professional and personal situations (partnership contracts, marriage contracts, sales contracts, employment contracts, etc.) can illustrate key elements that pertain to this concept, so central to all our personal and professional lives. By analogy and sometimes in a metaphorical way, a comparison with other professions can help us clarify the *first* obvious application of contracts in coaching. Indeed, in this profession much like in any other, the advantages of precise contracts are many, for example:

- An initial contract helps define the scope of a professional relationship such as between any service purveyor and a client. Beyond that, a good contract helps define the objectives of the relationship, the deadlines to be respected, the expected results and measures, the list of means that will be implemented by each of the contracting parties, the legal and ethical frame of reference of the relationship, etc.
- Consequently, the relatively formal dimension of contracts permits a certain level of protection of both the purveyor and client. A professional contract sets a frame to the relationship by specifying its limits. In effect, not only does a contract define objectives but it also sets boundaries that must not be crossed. In coaching as in other relationships, contracts are protective in that they help avoid confusion or distortion of each party's initial premises and objectives.
- Contracts also provide numerous indications of the attitudes, fears, hopes and frames of reference of all the contracting partners. If each of the contracting parties gives the contract negotiation and finalization process all the attention these merit, they will usually find numerous indicators of each other's frame of reference. These indicators can give each contracting partner important advance knowledge of the type of relationship and of the outcomes that can be expected.

Obviously again, all this is not new. In all forms of professional and personal partnerships, an almost identical contract clarification process can help set the preliminary foundations of an exchange or of a relationship. In almost all domains, the relatively formal concept of contract helps each of the parties fully assume their share of responsibility as to the successful outcome of their common endeavor.

Beyond this *first* contract which helps specify the frame of reference of the coaching profession in relation to a client, *the concept of contract is also an omnipresent skill, constantly implemented in many other subtle ways, every step of the way during a coaching process.* These other contracting skills in the course of a coaching process can be considered "mini-contracts" or coach-client *agreements.*

Indeed, different types of contracts and agreements are so much part of the coaching skill set that their presence can be observed *throughout the unfolding* of the relationship with any specific client. Consequently, the concept of contract, agreements and related competencies are the object of great deal of attention on the part of professional coaches, their supervisors and their trainers.

The object of this article is to deepen our understanding of the central role contracts and agreements play *throughout* the unfolding of a coaching relationship. Indeed, beyond the *initial* contract which helps specify the object and limits of a coaching relationship we here wish to develop the other facets of contracting, considering the concept *as a family of skills* that is *constantly* displayed by a professional coach on a day-to-day, if not minute-by minute basis.

THE HOLOGRAPHIC DIMENSION OF COACHING CONTRACTS AND AGREEMENTS

In general, formal contracts can help set a form or a frame, objectives and limits, to all facets of human activity, whether these be personal or professional. As we have stated above, not only can a contracting process give a form or a « receptacle » to any individual or collective project or enterprise, but it can also be declined or reproduced throughout the different levels of complexity of *one same* endeavor.

Furthermore, when contracts and less formal agreements pertaining to a same person or system are compared, they will often reveal specific patterns that are proper to the concerned person or system. In this way a contact process is not only offer a modus operandi that can ensure a specific project's success, but it also provides indicators of the frame of reference, the hopes and fears, the strengths and weaknesses, etc. of the entities they concern.

In fact, the study of contracts and agreements can as much reveal the “success and failure frame of reference” of the parties involved as they can offer avenues for their future development.

Take for example the use of contracting in the day-to-day activity of coaching. Professionals almost indifferently use that skill on several distinct levels. These different levels of contracting continuously support and reinforce each other. As a result, to successfully implement a coaching process it is useful to distinguish and know how to establish contracts and agreements with clients in the following dimensions :

- **Coaching contracts**, to establish the main client relationship agreement, for a precise number of predetermined sessions over several weeks to several months and achieve the desired client outcome. This is the most obvious level of contracting.

- **Session agreements**, to establish an agreement for the duration of a specific client meeting that could last from half an hour to several hours, and conclude in a timely manner with measurable results.

- **Sequence agreements,** to determine the scope of a precise piece of work on a specific client theme or objective, for a much shorter span of time that could be only several minutes long, aiming for a satisfactory action plan.

- **Homework agreements or contracts**, which the client will implement between coaching sessions or meetings, to ensure the success of co-designed action plans. These can be considered to be a form of “delegation” contracts.

- **Confrontation agreements or contracts,** to constructively point out perceived discrepancies between engagements and behavior, or more commonly, between coach or client “talk” and “walk”.

- **Coach intervention agreements or contracts,** which punctuate coach inputs when he or she intervenes within the client dialogue so as to manifest respect for the client’s personal work space.

As a coaching process unfolds, all these different contracting levels mesh, intertwine and support each other, some over several months, others, over several days, hours or minutes.

At each level, the work between a coach and a client is framed, permitted and limited by a different form of contracting process. At each level, and as the coaching relationship evolves, the contracting process provides *both coaches and clients* numerous emerging indicators concerning their common shortcomings and operational patterns of success.

- What is their capacity to set realistic, ambitious, concrete and measurable objectives?
- What is the client capacity to create, gather, negotiate and implement means to achieve goals ?
- What is the client and coach capacity to manage time and respect tight or lengthy deadlines?
- What is the coach and client capacity to continuously measure results and take those in consideration on a regular basis to determine the next steps to success ?
- What is the client and coach capacity to point out discrepancies in the growth process, and then implement more congruent action, in line with stated objectives?
- What is the coach and client capacity to align with each other and with the client objectives, see "eye to eye" as they collaborate towarts reaching a defined goal?
- What is the coach and client capacity to take corrective action, rectify courses of action to elaborate better contracts and agreements, obtain even more performing results ?

Structured or directed by contracts and agreements, accompanied by coaching, all client actions provide numerous operational indicators of potential improvement and development. While working with a coach, driven by a contracting process, the client gradually develops a powerful performance-centered *modus operandi* focused on congruent and sustainable measurable outcomes.

If the contracting process is extremely instrumental to accompanying clients on their road to success *during* a coaching relationship, professional contracting skills also offer clients an operational key to ensure success in all their *future* personal and operational endeavors.

Consequently, the continuous use of various contracting and agreement processes in the course of a coaching relationship becomes a systematic operational apprenticeship of a success-oriented skill set that will stay with clients after and beyond their coaching experience, in everything they will choose to achieve thereafter. In this way, contracting skills are a central coaching tool, that provide clients with a permanent behavioral model for future operational success.

To describe in more detail the central role contracts and agreements play in coaching and the power of their operational focus, let us revisit the different "levels of contracting" commonly implemented in the course of a coaching process.

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THE COACHING CONTRACT

The initial contract in coaching is often the most explicit or formal and has the most legal overtones. It is most often written and concerns the general scope of the coach-client relationship. This contract level is central in the coaching profession in that it sets the professional context for the coach’s practice, the client’s general objectives and the relational frame of reference that concern both.

Coaches often pay meticulous attention to this contract to clearly define :

- The positioning of the type of coaching « service » provided by the coach (short coaching, individual coaching team coaching, telephone coaching, organizational coaching, life coaching, etc.)
- The general objectives, instrumental to the client's motivation to initiate a coaching process. This concerns the conscious or initial client goals which may often evolve in the course of the coaching process and relationship. Possible contract evolution or modifications may be the object of less formal "sub" or "mini" contracts and agreements elaborated during subsequent coaching meetings or sequences.
- The price level, which will position both the coach and the client on their markets in terms of importance, competency, notoriety, seniority, etc.
- The practical terms of the process in terms of means, that both the coach and the client agree to respect, such as rhythm, specific dates, invoicing and payment conditions, preparation, complementary processes such as diagnostic tools and other external expertise.
- The coaching means, such as location, expenses, etc,
- The ethical and deontological frame supported both by the coach and the client.
- Etc.

If the initial contract often reflects a specific coach's specialty, it may regularly require adjusting to fit specific client needs, objectives and contexts. Consequently if for numerous coaches, their initial contracts are often similar, they are rarely identical.

We will not detail further this relatively « legal » contracting level, but suggest a closer look at other levels of this essential skill in professional coaching.

OTHER LEVELS OF COACHING CONTRACTS

Session Agreements

In the course of a coaching relationship over several months, the client will often face new and sometimes unexpected emerging themes that may or may not be in keeping with the original contract. At the beginning of each coaching meeting or session, it is therefore useful for both the coach and client to "re-actualize the original contract with mid-term or short-term and operational "mini" contracts or agreements focused on emerging issues. Normally, these adjustments respect the main direction of the original contract, and redirect the coaching work in more concrete or practical emerging dimensions that were until then unpredictable.

Consequently, after a general formal contract is established and as soon as the coaching process actually starts with a series of meetings, the use for a second "contracting" process emerges, within a more operational and immediate dimension. This concerns *session* agreements that will be established at the beginning of each coaching meeting, starting from the first and followed-up at each subsequent coaching session.

After evaluating client evolution and implementation since the previous coaching meeting, each session agreement focuses on the shorter-term objectives that fit into a larger journey, on more precise steps that fit into a more important process, a page that fits into a larger chapter.

- What goals does the client want to reach today?
- What principle themes or issues does the client wish to cover during a phone meeting or face to face, in half an hour or three hours ?

The work to establish agreement serves to define the agenda for the session by listing the themes, goals and issues on which the client wishes to focus, and the time allotted to each item.

Consequently, the session agreement should present a certain degree of coherence or congruence with the initial coaching contract, and should easily fit into its main goals. Session agreements are usually tailored to implement the initial coaching contract in its operational dimension. Consequently, session agreements should be more concrete and concern more immediate or short-term preoccupations. If the initial coaching contract concerns the whole coaching relationship, session agreements are mainly centered on all that must take place during the sessions and occasionally from one session to the next.

There are of course numerous exceptions. Session agreements occasionally offer opportunities to divert the coaching process towards new horizons. It subtly lets through subtle signs of emerging concerns, unexpected objectives, more fundamental changes concerning deeper client motivations. Consequently, session agreements and the work that follows can help question the initial coaching contract within which it is nonetheless supposed to fit. In this way, some sessions become the arena in which can be designed a totally new coaching direction, sometimes to the point of discovering good reasons to prematurely interrupt the coaching process itself.

- If, for example, there appears to be good reason to question the opportunity or value of working on a specific issue during a session, or
- if there is an obvious discrepancy between a short-term issue brought by the client and the main focus of the initial coaching contract,

then, the coach can initiate a conversation to clarify the direction the coaching process is taking. The coach could ask:

- If there is an evolution in the importance or pertinence of initial coaching objectives
- If there are other issues that are more congruent with the initial coaching contract ;
- If there the change is an indicator of evolving client motivations or priorities,
- If it is useful to redefine or redirect the initial coaching contract to focus it more formally on new emerging priorities and issues,
- Etc.

For some clients, the establishment of a session agreement is a thought-provoking and challenging process which often helps establish key personal or professional priorities. Session agreements sometimes provide clients with an opportunity to reconsider issues they have considered central, or secondary and reposition these in a completely different light.

More concretely, at the beginning of each session, it is useful to ask clients to establish a list of the goals and issues they wish to cover, or of the goals they wish to achieve during the session. The next step is to ask the client to establish an agenda for the session and allot time slots to each of the items. Without spending too much time understanding the details of each of the client themes, the coach's objective is to evaluate the quantity and quality of work sequences proposed by the client and help the latter evaluate the pertinence of each proposed sequence within the "bigger picture".

Fundamentally, session and sequence agreements and subsequent sequence agreement serve to "align" the coach, the client and the client objectives. The open dialogue process is often quite different from the formal and more legalist coaching contract in that it may often tolerate less precise definitions, more "fuzzy" objectives, permiting emerging processes and creative solutions.

Sequence Agreements

When zooming in a little closer, the next level of coach-client agreement concerns the way each client theme, issue, problem, or ambition is approached during a coaching "sequence".

Indeed, sequence after sequence, for spans of time that can vary from ten to thirty minutes or more, shorter-term mini-contracts help coach and client manage their progression in the coaching session. A two hour coaching session could include up to ten or fifteen work sequences, each defined by an agreement to focus on a specific subject, theme, objective or action plan.

Typically, sequence work begins with a question that will help the client define the issue's or objective's perimeter. The wording and focus of that initial question is important to help the client quickly get into a coaching frame of reference.

- « How can I help you on this subject?» or « What do you expect from me? » are examples of questions which suggest the client focus on the help to be obtained from the coach rather than on personal competencies and motivation. Those two questions do not illustrate faith in the autonomy and power of the client.
- « Well.. ? », or « I'm listening… » are very open and non-directive if not laid-back introductions that are quite typical of Freudian analytical sessions, and quite far from the action-oriented pace in keeping with the philosophy of coaching.
- « On what do you wish to work now ? » can suggest the client make efforts, labor, try hard and toil rather than focus on obtaining results in a light and performing way.
- « What is the next subject? » or « What do you want to discuss next? » are both introductions that suggest that what will follow is a friendly monologue or discussion which may not have a very precise performance focus nor measurable outcome.
- « On what next achievement (challenge, outcome, objective,..) do you want to focus ? » Will suggest that the client start the next sequence by centering on practical, measurable, operational goals.

The necessary time to elaborate a good sequence agreement may sometimes take most of the time allotted to the subject or issue. Often indeed, clarifying the issue on which the client wishes to work is the biggest chunk of the work itself.

In the course of this "sequence" clarifying process, the coach questions and reactions will often help the client change perspectives, perceive other options, modify the definition of issues, prioritize differently, re-motivate, etc. As a consequence, coach input to help clients clarify their sequence contracts or agreements may often become the core area in which to implement the art of coaching.

Confrontation Agreements

Over the years the term of confrontation has been so widely used in communication and relationship professions, that it's original and precise meaning may have been lost. Originating from Transactional Analysis "confrontation" is a specific technique or procedure that is to be used in a very precise context.

Confrontation is called for when one perceives a discrepancy in someone's words, actions, or between someone's words and actions, and more specifically between the contents of an agreement or explicit contract and the actions or behaviors that follow. If one pledges to pay back a loan over a precise span of time, for example, and then doesn't follow through with the corresponding refunds, then that person may justifiably be confronted by the lending party.

As communication technique or as a procedure, the confrontation process is to follow a number of specific steps, so as to ensure that the issue is not avoided or that the situation doesn't slip into an outright conflict. As a coaching tool, the confrontation process is very useful to help a client assume full responsibility for words and actions, or non action, in a very respectful manner. The procedure unfolds as following:

- Contract for confronting before engaging in it, by agreeing on an appropriate time and place.
- When the time comes, first remind the confronted party of the original contract, if possible with written proof.
- State the *perceived* discrepancy, using a respectful vocabulary and tone of voice.
- State the behavior that would have been preferred, or ask for the appropriate or required repair.
- Ask the confronted party for their perception of the situation, or reaction.

- Listen, and then come to a negotiated conclusion together.

Obviously, no-one likes to be confronted, so a calm, respectful and unemotional stance is more than useful. The confrontation procedure is extremely useful when having to point out perceived discrepancies between a client's commitments and implemented action plans.

Coach Intervention Agreement

This level of agreement is the smallest and the shortest. It is almost considered one of the day to day coaching tools that may even be used several times in the course of a ten-minute coaching session. This agreement process consists in first asking clients their permission and obtaining their explicit invitation before asking them a question, interrupting them, offering a perception, reformulation, giving them feedback, sharing a feeling, occasionally propose an option, suggest a course of action, etc.

In the course of a coaching process, it is indeed recommended to ask clients their permission before intervening within their personal dialogue, or within their frame of reference.

- "May I interrupt you ?"
- "May I propose that you design a practical plan on to make sure this issue is permanently solved?"
- "May I ask you a question?"
- "May I offer a confronting perception here?"

It is obviously useful to wait for the client's acknowledgment before proceeding.

We wish to stress that beyond what could seem to be excess formalism, this level of agreement is most useful to remind both the coach and client that the context for a coaching relationship rests on a profound respect for the client coaching space. This space belongs to the client, and to respect his or her autonomy, the coach does not set foot in it without asking for a prior permission. This process is quite similar to the elementary respect which consists in knocking on a door and waiting for an invitation before entering a private space.

Homework Contracts

At the end of each sequence, and often at the end of each session, the client will often decide to implement actions "on the field". These personal and professional action plans or "homework" assignments are designed with the coach and implemented by the client between coaching sessions, outside of the coaching environment. In a more formal, written and contractual fashion, the clients will define the actions that they intend to implement in their personal or professional environment to follow up with their coached decisions. They commit to behaviors, deadlines, with measures of success.

This "homework" contract is co-designed by the coach and client to implement the actions related to the new awareness and decisions the client may have made in the course of the session and sequences.

- What practical action plan, what concrete operational behavior does the client commit to implement after the ongoing session and before the next or by what deadline ?

Obviously, if the coach may suggest options in "homework" assignments in a subtle way, it is of the utmost importance that there be a total "buy-in" by the clients if not that they be of their own creation and design.

These very practical and detailed "follow-up" homework contracts often make the difference between just developing client awareness such as in personal development or therapy, and obtaining measurable coaching results. Coaching is almost necessarily followed up by a set of practical action plans designed and planned by the client before a sequence or session can be considered as satisfactorily closed.

A set of questions are useful to help clients design solid homework contracts. The aim of these questions plans is to include into the contract a number of specific clauses so to make the latter as operational and « fool proof » as possible :

- What ? defines the client objectives.
- How ? concerns practical behavioral details that can sometimes be practiced with the coach in role playing.
- When or by when ? concerns intermediate deadlines, the end of the expected action, and a date to measure results.
- The instruments to measure the results of the action,
- The list of aids, helper or supporting actors clients can mobilize in their environment or activate in their network, and the actions to ensure this mobilization.
- In the case of triangular contracts with other concerned or "prescribing" actors at the origin of the coaching contract, it is obviously useful to have them play an active role to ensure the action's success.
- The foreseeable hindrances and client or environmental sabotage strategies should be considered to be ready to react, should they manifest themselves.
- The celebration date to feast the action plan's success with all the concerned actors, to thank them, and party.

This list doesn't include more occasional or original clauses, but it already underlines that a good portion of coaching work consists in helping clients design a detailed and formal action plan rather than accompanying them in awareness development or intellectual and conceptual training.

This list also includes some items that are more typical of formal contracts than of lighter agreements. In fact homework contracts are often written by the client and revisited at their completion, so as to evaluate their effectiveness and move on to other action plans.

In the course of a twenty minute sequence, for example, a coach and client can often spend more than half of their time focusing on designing and formalizing a homework contract focused on a detailed action plan. Let us stress again, that this resolutely practical and results-oriented focus is central in the day to day art of coaching.

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Triangular Contracts

In numerous organizational and personal cases, the coaching relationship is prescribed by a third party. The client and the coach are actively engaged in a process provoked by an absentee that could be a parent, an HR, a managing director, etc. This type of « triangular » contract can often include more than three parties such as the coach, the client, the client's manager, a human resources representative, another consultant or consulting organization who negotiated the original contract, etc.

The complexity of these triangular or polygonal contracts have long been a concern for consultants, coaches and other professionals in relational or therapeutic contexts. In coaching they concern the growing tendency for coaching contracts initiated and sometimes piloted by human resource departments in numerous organizations worldwide. Triangular contracts are therefore often at the origin of longer, more formal coaching processes, sometimes heavily marked by political and relational strategies proper to the organizational contexts which initially provoke them.

It is useful to underline that all the "third parties" involved in triangular contracts can often be solicited to actively and "contractually" participate in ensuring the "designated client's" success by implementing specific actions. Too many triangular contracts tend to point out individual or collective "targeted clients" without trying to involve other parties in the environment, in an abusive form of delegation. These other parties can often help the coaching process and the designated client's success by also implementing cleary defined, well designed, concrete and measurable supportive actions.

The complexity of triangular contracts merits a deeper study and development in an article dedicated to the subject.

Conclusion

We hope to have demonstrated that in very different forms, the contract process is so central to the coaching profession that it cannot be limited to the original formal client agreement which simply describes the coaching frame of reference, states general client objectives, a price, and a number of phone or face to face meetings.

The contracting process is a goal oriented a frame of mind that is continuously present in the coaching relationship as a minute to minute *modus operandi*. It is so pervasive in the coaching process that as a tool, it is modeled to the client as a success-oriented procedure that the client can take home and reproduce in all aspects of personal and professional life, long after the coaching process is over. In that light, the contract concept and related coaching agreement processes could be considered one of the most important coaching tools that delivers sustainable added value to clients.

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