Contracts Don't Manage People, People Do
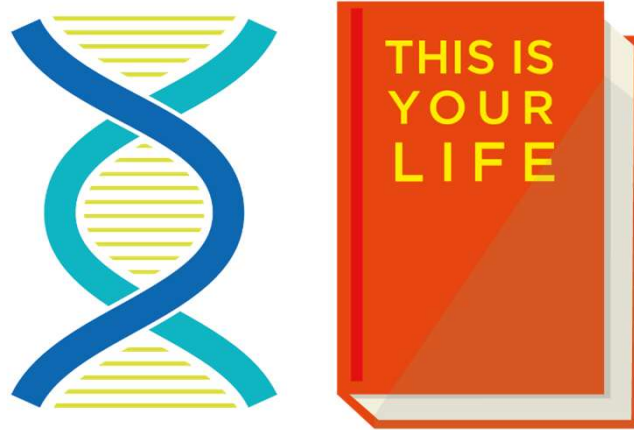
Making Contractual Behaviours More Likely
with Behavioural Science

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An introduction to Behavioral Science

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What makes you you

3

Why we do what we do...

Everything is linked to the environment around us.

4

Every behaviour needs...

A prompt

Affirmative feedback loops

5

ABC

Antecedent	Behaviour	Consequence
Something prompts a behaviour...	...that is happening right now...	...which provides a result that makes the behaviour more or less likely to occur in the future

Feedback loop

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= Behaviour

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But what is behaviour?

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What is a behaviour?

Attitudes, Values or Beliefs?

Actions
-
what we say and do.

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What is the behaviour?

Constipated X

Angry X

Excited X

Frustrated X

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What is the behaviour?

Holding fists up ✓

Clenched fists ✓

Open eyes ✓

Clenched teeth ✓

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A behaviour (action)

What we say and do

Objective
Can be measured
Exact
Factual
Is actually happening

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A label

Collection of behaviours

Subjective
Open to interpretation
Opinion based
Judgemental
Could be disputed

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NEC: Built on Behaviour

- Collaborate
- Act in a spirit of mutual trust
- Early warnings
- Manage risk proactively
- Agreeing changes

Not as specific as we think

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Labels vs Behaviours

- Collaborate → vague value
- Observable behaviours:
  - Share programme updates weekly
  - Invite others into risk meetings
  - Respond to early warnings in 2 days

Make it as specific as you can

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Labels are Subjective

Behaviours / Actions are Not

Projects are delivered, built, through a number of actions, not attitudes or labels.

Successful NEC application is no different.

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Which one do you want?

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Defining NEC Behaviours

- Mutual Trust →
  – Raise issues early
- Early Warning →
  – Log risks within 24h
- Collaboration →
  – Design issued on time,
  – Queries answered within a certain timescale
  – Programmes shared
  – Conversations happen at the time, no photos sent after event

Jointly define, agree, measure and celebrate.

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Why They Don't Happen

- Assumed understanding
- Competing incentives
- No reinforcement
- Active discouragement
- Friction in systems
- Competing priorities

- It takes purposeful effort.
- It takes good leadership

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Making Behaviours More Likely

- Clarify – define clearly and early
- Prompt – make it visible/easy
- Measure – gather data on key behaviours
- Reinforce – recognise & reward

Create the environment for success

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Practical Examples

1. Clarify → Replace 'collaborate' with specific agreed actions
2. Prompt → Agenda reminds about agreed collaborative actions
3. Reinforce → Acknowledge the behaviours you want more of
4. Gather data → Show everyone what you are paying attention to from the start.
5. Celebrate successful collaboration

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Your Turn: Pinpoint a Behaviour

- Pick 1 NEC principle (collaborate, trust, early warning)
- Write it down an observable, measureable action (behaviour).
- Examples –
  - Walk site with client
  - Share list of early warnings weekly
  - Attend risk review meeting

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