

Mark Scheme for June 2011

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This mark scheme is published as an aid to teachers and students, to indicate the requirements of the examination. It shows the basis on which marks were awarded by Examiners. It does not indicate the details of the discussions which took place at an Examiners' meeting before marking commenced.

All Examiners are instructed that alternative correct answers and unexpected approaches in candidates' scripts must be given marks that fairly reflect the relevant knowledge and skills demonstrated.

Mark schemes should be read in conjunction with the published question papers and the Report on the Examination.

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Question		Expected Answer	Mark	Rationale/Additional Guidance
1	(a)	<p>ASSESSMENT OBJECTIVE 1</p> <p>Candidates will identify up to <u>three</u> of the following:</p> <p>a) Control b) Integration c) Economic reality test</p>	[3]	<p>1 mark for each correct test identified</p> <p>(maximum 3 marks)</p> <p>Credit acceptance of financial risk or entrepreneurial risk</p>
1	(b)	<p>ASSESSMENT OBJECTIVE 2</p> <p>Candidates will tick boxes:</p> <p>(i) (iii) (v)</p>	[3]	<p>1 mark for each correct identification</p> <p>(maximum 3 marks)</p>
Total			[6]	

Question		Expected Answer	Mark	Rationale/Additional Guidance
2	(a)	ASSESSMENT OBJECTIVE 1 Candidates will identify as follows: Situation (i) Age Situation (ii) Religion and/or belief Situation (iii) Sex	[3]	1 mark for each correct type identified (maximum 3 marks) Do not credit sexual orientation

Question		Expected Answer	Mark	Rationale/Additional Guidance
2	(b)	<p>ASSESSMENT OBJECTIVE 2</p> <p>Candidates will explain the following:</p> <p>Situation (i) Tom</p> <ul style="list-style-type: none"> • Indirect discrimination could apply to Tom • This is when a condition disadvantages one group of people more than another • There will not be indirect discrimination if there is a good reason for a particular condition but that is unlikely to be the case here. <p>Situation (ii) Khalid</p> <ul style="list-style-type: none"> • Direct discrimination could apply to Khalid • This is where an employer clearly treats an employee less favourably • There is no apparent justification for the difference in treatment as the views of his wife should not be relevant in terms of his employability. <p>Situation (iii) Svetlana</p> <ul style="list-style-type: none"> • Harassment could apply to Svetlana • This means that there is offensive or intimidating behaviour, sexist language or racial abuse which aims to humiliate, undermine or injure its target • She is being made to feel she has to do as her boss tells her, even when she has made her views clear, to have a chance of getting the promotion. 	[9]	<p>For each of the three types of discrimination give credit as follows:</p> <ul style="list-style-type: none"> • 1 mark for identifying one basic point or limited reasoning • 2 marks for identifying two basic points or adequate reasoning • 3 marks for explaining a number of points or good reasoning <p>(maximum 9 marks)</p> <p>Annotate using levels – L1 for basic point and then L2 and L3 for elaboration/examples/application.</p> <p>To reach L3 there needs to be identification of the type of discrimination, some definition of what this means (which could be through use of the scenario) and then reaching a conclusion.</p> <p>If wrong type of discrimination identified but there is valid reasoning/use of the scenario give L1.</p> <p>To get to L3 there should be some reference to Khalid's qualifications to do the job.</p>

Question		Expected Answer	Mark	Rationale/Additional Guidance
2	(c)	<p>ASSESSMENT OBJECTIVE 3</p> <p>Candidates will discuss any of the following (credit should be given for both breadth and depth):</p> <ul style="list-style-type: none"> • They can help an employer show that they have been fair and just as sometimes there is a good reason to discriminate • They can help an employer show that they do treat people equally • They can help an employer understand what discrimination is and that if they do not treat their employees properly there will be a remedy • They can help an employer make sure that they are not allowing any discriminations of their own to influence their decisions • They can help an employer show acceptable levels of behaviour and that breaches will not be acceptable making employees feel safe • They can help an employer protect their employees against bullying or harassment which helps them feel safe • They can help an employer choose the right people and so help their business be more successful • They can help the employer make sure that their workplace is a happy and safe place for people to work which may help to attract more good employees • They can help the employer make sure that their workplace is a happy and safe place for people to work which may help to improve the performance of the business • They can help to save an employer money as they will not need to spend money defending claims made against them • Any other relevant comment. 	[6]	<p>Candidates will score as follows for each of the two reasons:</p> <p>0 marks – no response or nothing worthy of credit 1 mark – identifies one relevant issue or makes any valid point 2 marks – identifies one relevant issue with some elaboration 3 marks – develops a discussion of one relevant issue.</p> <p>(maximum 6 marks)</p> <p>Annotate using levels – L1 for basic point and then L2 and L3 for elaboration/examples/discussion.</p> <p>Credit an example which gives elaboration.</p>
Total			[18]	

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3	(a)	<p>ASSESSMENT OBJECTIVE 1</p> <p>Candidates will identify up to <u>three</u> of the following:</p> <ul style="list-style-type: none"> • Provide safe plant and systems of work • Provide safe methods for the use, handling, storage and transporting of articles and substances • Provide necessary instruction, training and supervision • Provide a safe and well-maintained workplace, including safe access and exits • Provide a safe working environment with adequate welfare facilities • Prepare, keep up to date and communicate policies on safety • Ensure that people like the public and contractors are also protected and that they are alerted to potential dangers. 	[3]	<p>1 mark for each correct duty identified</p> <p>(maximum 3 marks)</p> <p>Credit:</p> <ul style="list-style-type: none"> • remarks such as ‘making sure employees behave safely’ • provision of safe equipment • ‘safe employees’ with the annotation BOD • ‘giving breaks’ <p>If reference made to 3 general provisions about health and safety credit with 1 mark – annotate with 1 tick below end of response.</p>																					
3	(b)	<p>ASSESSMENT OBJECTIVE 2</p> <p>Candidates will mark the boxes as follows:</p> <table style="margin-left: 40px;"> <tr> <td></td> <td>Health and safety risk</td> <td>No health and safety risk</td> </tr> <tr> <td>A</td> <td style="text-align: center;">√</td> <td></td> </tr> <tr> <td>B</td> <td style="text-align: center;">√</td> <td></td> </tr> <tr> <td>C</td> <td></td> <td style="text-align: center;">√</td> </tr> <tr> <td>D</td> <td></td> <td style="text-align: center;">√</td> </tr> <tr> <td>E</td> <td></td> <td style="text-align: center;">√</td> </tr> <tr> <td>F</td> <td style="text-align: center;">√</td> <td></td> </tr> </table>		Health and safety risk	No health and safety risk	A	√		B	√		C		√	D		√	E		√	F	√		[6]	<p>1 mark for each correct answer</p> <p>(maximum 6 marks)</p> <p>Credit alternative way of indicating the box being selected – eg use of A, B, etc</p>
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3	(c)	<p>ASSESSMENT OBJECTIVE 1</p> <p>Candidates will insert the following in this order:</p> <ul style="list-style-type: none"> • 1993 • Executive • two. 	[3]	<p>1 mark for each correct answer</p> <p>(maximum 3 marks)</p>
3	(d)	<p>ASSESSMENT OBJECTIVE 3</p> <p>Candidates will describe up to <u>six</u> of the following:</p> <ol style="list-style-type: none"> 1 Indicates a need to wear protective clothing. 2 Indicates the location of first aid equipment for use in a medical emergency. 3 Indicates that only those with permission should enter. 4 Indicates where workers should assemble if there is a fire or other emergency. 5 Indicates a need to wear protective boots. 6 Indicates a need to take care to avoid tripping or falling on stairs. 	[6]	<p>1 mark for identification of the purpose of sign</p> <p>(maximum 6 marks)</p> <ol style="list-style-type: none"> 1. Credit overalls, special suit, etc. Credit safety equipment as BOD 2. Should be use of word 'first' or 'emergency' 3. Credit alternative such as 'stop', 'no entry'. BOD for 'no citizens beyond this point'. 5. Credit alternative such as 'correct footwear' 6. Credit alternative such as 'watch the step', 'trip hazard', 'step ahead'.
Total			[18]	

Question			Expected Answer	Mark	Rationale/Additional Guidance
4	(a)	(i)	<p>ASSESSMENT OBJECTIVE 1</p> <p>Candidates will identify up to <u>three</u> of the following:</p> <ul style="list-style-type: none"> • Fighting • Stealing • Arson • Deliberate falsification of time sheets • Accessing or distributing pornographic emails or websites • Serious bullying or harassment • Serious infringement of health and safety rules • Refusal to obey lawful and reasonable orders • Intoxication at work. 	[3]	<p>1 mark for each example identified</p> <p>(maximum 3 marks)</p> <p>Credit alternative to fighting such as assault.</p> <p>Credit alternative phrase such as 'being very negligent'.</p> <p>Can credit use of example of bullying such as racism.</p>
4	(a)	(ii)	<p>ASSESSMENT OBJECTIVE 2</p> <p>Candidates will explain the following reasons:</p> <ul style="list-style-type: none"> • Sonia's employer cannot force her to join a trade union and this would make her dismissal unfair • Sonia's absence when her son has to be in hospital is a statutory employment right and this would make her dismissal unfair • Sonia's pregnancy is not a reason for dismissal and this would make her dismissal unfair • Sonia has not been given a reason for her dismissal which would make it unfair • Sonia has not been given notice/warning of the fact that she no longer has a job and this would make her dismissal unfair. 	[3]	<p>1 mark for each reason explained</p> <p>(maximum 3 marks)</p> <p>Credit reference to taking too much time off as BOD</p> <p>Credit reference to the taking of maternity leave but only credit either this or pregnancy.</p>

Question			Expected Answer	Mark	Rationale/Additional Guidance														
4	(b)	(i)	<p>ASSESSMENT OBJECTIVE 1</p> <p>Candidates will tick the boxes as follows:</p> <table> <thead> <tr> <th>Reason or condition</th> <th>Tick</th> </tr> </thead> <tbody> <tr> <td>New machinery means less workers are needed</td> <td>√</td> </tr> <tr> <td>Doing jury service</td> <td></td> </tr> <tr> <td>Being on maternity leave</td> <td></td> </tr> <tr> <td>Money needs to be saved if a business is to survive</td> <td>√</td> </tr> <tr> <td>Workers are told they will lose their jobs immediately</td> <td></td> </tr> <tr> <td>A business changes its product and so some specialised workers are no longer needed</td> <td>√</td> </tr> </tbody> </table>	Reason or condition	Tick	New machinery means less workers are needed	√	Doing jury service		Being on maternity leave		Money needs to be saved if a business is to survive	√	Workers are told they will lose their jobs immediately		A business changes its product and so some specialised workers are no longer needed	√	[3]	<p>1 mark for each correct tick</p> <p>(maximum 3 marks)</p>
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Question			Expected Answer	Mark	Rationale/Additional Guidance
4	(b)	(ii)*	<p>ASSESSMENT OBJECTIVE 3</p> <p>Candidates will discuss any of the following (credit should be given for both breadth and depth):</p> <ul style="list-style-type: none"> • The law offers a range of protections to both employers and employees • The law protects an employer if they take on an employee who can never do the job for which they were employed, even after training • The law protects an employer if an employee has been employed because they did not tell the truth • The law protects employers against employees who are lazy • The law protects an employer if an employee is so ill they can never work making it unfair for the employer to have to keep on paying them • The law protects an employer when an employee has a poor disciplinary record • The law protects an employer when an employee is violent, rude or will not follow health and safety policy • The law protects an employer when an employee is dishonest • The law protects an employer when an employee is working illegally • The law protects an employer when employees are not good for the working environment 	[9]	<p>Candidates will score as follows for each of the three reasons:</p> <ul style="list-style-type: none"> • 0 marks: no response or nothing worthy of credit • 1 mark: identifies one relevant issue or makes any valid point. The response lacks organisation, structure and accuracy of spelling, punctuation and grammar • 2 marks: identifies one relevant issue with some elaboration. The response is adequately organised, structured and with some errors of spelling, punctuation and grammar • 3 marks: develops a discussion of one relevant issue. The response is well organised, structured, with few errors in grammar, punctuation and spelling. <p>(maximum 9 marks)</p> <p>Annotate using levels.</p> <p>Credit reference to an example to show elaboration of a point</p> <p>Development of any bullet with three distinct points can be L3</p>

Question	Expected Answer	Mark	Rationale/Additional Guidance
	<ul style="list-style-type: none"> • The law protects an employer when a business is changing or is in trouble • The law protects an employer as they must give an employee a good reason for redundancy • The law protects an employer if the government forces changes • The law protects an employee who may be financially dependent on that employment • The law protects an employee by giving them time to make alternative arrangements • The law protects employees who should understand the reasons for their redundancy • The law protects employees by ensuring that they are treated fairly and cannot be taken advantage of • The law protects employees by giving them access to training and the opportunity to succeed • The law protects employees by guaranteeing them rights in areas such as holidays and time off for sickness • The law protects employees as if they are unfairly dismissed they have access to remedies. 		
	Total	[18]	

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