

GCE

Applied Business

Advanced GCE A2 H426/H626

Advanced Subsidiary GCE AS H026/H226

Mark Schemes for the Units

January 2009

H026/H226/MS/R/09J

OCR (Oxford Cambridge and RSA) is a leading UK awarding body, providing a wide range of qualifications to meet the needs of pupils of all ages and abilities. OCR qualifications include AS/A Levels, GCSEs, OCR Nationals, Key Skills, Entry Level qualifications, NVQs and vocational qualifications in areas such as IT, business, languages, teaching/training, administration and secretarial skills.

It is also responsible for developing new syllabuses to meet national requirements and the needs of students and teachers. OCR is a not-for-profit organisation; any surplus made is invested back into the establishment to help towards the development of qualifications and support which keep pace with the changing needs of today's society.

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.

OCR will not enter into any discussion or correspondence in connection with this mark scheme.

© OCR 2009

Any enquiries about publications should be addressed to:

OCR Publications PO Box 5050 Annesley NOTTINGHAM NG15 0DL

Telephone: 0870 770 6622 Facsimile: 01223 552610

E-mail: publications@ocr.org.uk

CONTENTS

Advanced GCE Applied Business (Double Award) (H626)

Advanced GCE Applied Business (H426)

Advanced Subsidiary GCE Applied Business (Double Award) (H226)

Advanced Subsidiary GCE Applied Business (H026)

MARK SCHEMES FOR THE UNITS

Unit/Content	Page
F242 Understanding the business environment	1
F243 The impact of customer service	13
F248 Strategic decision-making	21
F256 Business law	35
F257 Managing risk in the workplace	50
Grade Thresholds	61

F242 Understanding the business environment

Question	Expected Answer		
1 (a)	Candidate states ways in which a sole trader business differs from a limited company (1-3 marks).		
Anita's Tiny Tots is a sole trader business owned and managed by Anita Patel. State three ways in which a sole trader business differs from a limited company. [3 marks] AO1 [3 marks]	Ways that a sole trader business differs from a limited company - Answers include: unlimited liability does not have a separate legal identity cannot sell shares does not have directors does not have to share profits easier to set up does not have to draw up Memorandum/Article of Association does not have to publish accounts more sources of finance for limited company owned and run by only one person, fewer ideas does not have to register with Companies House owner of limited company can lose control Exemplar response: A sole trader has unlimited liability (1). Owned and run by one person (1). Easier making decisions as maximum one owner (1).		

Question	Expected Answer
1 (b) If Anita and Sandra form a partnership, identify and explain two reasons why it is advisable for them to draw up a formal partnership agreement. [4 marks] AO1 [2 marks] AO2 [2 marks]	Answers include: Reduces risk of conflict States how profits/losses are to be shared To be referred to in dissolution Clarifies roles/responsibilities Over rule to Partnership Act Exemplar response: e.g. A formal agreement reduces the risk of conflict between partners (1). e.g. It is important to be clear about rights and responsibilities of each partner (1) so that the business can be run more smoothly (1). e.g. It states how profits are to be shared (1) especially if the input from partners is different (1). e.g. The Partnership Act (1890) lays down that in the absence of a formal agreement, partners share everything equally (1).

Question		Expected Answer
1 (c)* QWC tested		Level 1. Candidate states reason for entering into a partnership (no context required) (1-3 marks).
		Level 2 Candidate explains arguments for entering into a partnership for Anita (4-6 marks).
Evaluate whether	or not Anita	
should enter into partnership	a business	Level 3 Candidates analyses the case for and against entering into a partnership for Anita (7-9 marks).
		Level 4. Candidate evaluates the case for and against entering into a partnership for Anita (10-12
[12 marks]		marks).
AO1	L1	
AO2	L2	Answers include:
AO3	L3	Arguments for a partnership
AO4	L4	Capital injection
		Sharing of workload and responsibilities
		Split liability
		Sharing of ideas/skills or acquiring new ideas/skills
		Arguments against a partnership
		Sharing of profits
		Accountable for partner's actions
		Potential conflict between partnership
		Decisions taking longer
		Exemplar response:
		Entering into a partnership brings about an injection of capital (L1) . This allows Anita to expand (L2) . However, her new partner might have different ideas about children's clothes and cause conflict (L3) . In the long run, it is better for the business as Anita wishes to expand and this is one of the cheaper ways of acquiring capital (L4) .

Question	Expected Answer		
2 (a)	Answers include:		
	Employees		
Explain how the interests of Anita Patel conflict with those of:	 Sandra has an interest in high wages, good working conditions, convenient hours and security of employment. 		
	Formalised payments		
(i) her employee, Sandra Bates.	Bank		
(ii) her bank. (iii) Anita's suppliers.	 The bank has in interest in obtaining revenue in the form of bank charges and interest payments. Interested in solvency/cash flow rather than profitability 		
	Formalised record keeping to determine investment risk		
[9 marks]	Suppliers		
	Suppliers have an interest in selling at the highest price.		
	Low quality		
	Paid quickly		
	Lower ethical standards e.g. child labour		
	Flexible delivery date		
	Exemplar response:		
	Sandra has an interest in high wages (1). This conflicts with Anita's interest which is to keep wages low (1) as high wages mean lower profit for Anita (1).		
	Anita doesn't want to spend time formalising her accounts (1). However bank would require formal accounts (1). Without formalised accounts the bank won't lend (1).		
	Anita is interested in ethical production (1). Suppliers want to produce at lowest cost irrespective of ethics (1). Anita may have to pay more to purchase from more ethical supplier (1).		

Question	Expected Answer		
2 (b)	This question requires analyses of advantages only although disadvantages can be awarded if seen		
Although Anita is a law abiding and respectable member of the community, her 'cash in hand' payments to Amit and Sandra	Level 1 . Candidate states reasons for ending the 'cash in hand' arrangements (no context required) (1-3 marks).		
clearly represent 'black/hidden	Level 2 Candidate states arguments for ending the 'cash in hand' arrangements for Anita (4-6 marks).		
economy' transactions. Evaluate the case for Anita ending	Level 3 Candidates analyses the case for and against ending the 'cash in hand' arrangements for Anita (7-9 marks).		
these 'cash in hand' arrangements with Amit and Sandra.	Level 4 . Candidate evaluates the case for and against ending the 'cash in hand' arrangements for Anita (10-12 marks).		
[12 marks] AO1 L1 AO2 L2 AO3 L3 AO4 L4	Answers include: illegal immoral risk a fine risk investigation by Inland Revenue damage reputation formalise the business to permit expansion Exemplar response: The 'cash in hand' arrangements are illegal (L1). If caught, Anita will risk facing a substantial fine (L2). This will not only damage her business financially but also her reputation (L3). In the long run, it is better for the business to end the arrangements especially if Anita wishes to expand and run her business on a more formal footing (L4). It will damage Anita's reputation (L2).		

Question	Expected Answer
Michael O'Connell, Anita's Bank Manager, had reservations about the informal way in which she has been running her business and her financial record keeping. Identify and explain three reasons why Anita should formalise the financial aspects of her business. [9 marks] AO1 3 marks AO2 6 marks	Answers include: To monitor business performance To aid decision making To plan ahead To illustrate the financial position of the organisation to stakeholders To get a bank loan To meet legal requirements To draw up accurate financial documents e.g. profit/loss a/c, cash flow forecast, etc. To sell business in the future Exemplar response: A formalised financial record allows business performance to be monitored (1). Anita will be able to make sure that her financial records are accurate (1) so that she can see whether her sales are up or costs are down and make improvements accordingly (1).
4 (a) (i) Define the terms: -fixed costs -variable costs [4 marks]	Fixed costs are costs which do not change (1) with the level of output/sales (1). Variable costs are costs which change (1) with the level of output/sales (1).

Question		Expected Answer			
(ii)	Assuming that Anita trades	Three marks to be allocated as follows:			
(")	for 50 weeks per year,	Timee marks to be anotated	If 2 assumed		
	complete the table to	Market charges	£ 40x2x50=4000 (1)		
	calculate the annual fixed	Cost of van	£5000		
	costs associated with Option	Costs of Sandra's wages	£120 x 50 = 6 000 (1)		
	One - opening the two additional market stalls.	Total fixed costs.	£15 000 (1)		
			If 3 assumed		
[3 m	arks]	Market charges	£ 40x3x50=6000 (1)		
		Cost of van	£5000		
		Costs of Sandra's wages	£120 x 50 = 9 000 (1)		
		Total fixed costs.	£20 000 (1)		
(iii)	Given the 100% mark up on variable costs, calculate the level of sales Anita would need to break-even from operating in the two additional markets stalls.	Two marks for formula (Or if no formula evidence of correct use of formula) FC/contribution per unit (2) or FC/selling price - VC (2) Correct Answer if 2 assumed			
	arks]	£15 000/0.5 = £30 000 of sales (or 30000 without £ sign) (2)			
OFR		or			
		Correct Answer if 3 assumed	/ 40000 ':I		
		£20 000/0.5 = £40 000 of sales (or 40000 without £ sign) (2)			
		OFR from 4ai) fixed cost figur	e annlies		
		OFR from 4ai) fixed cost figure applies e.g. FC/contribution (2)			
		£40 000 (2)			
		40 000 (2)			
		£30 000 (2)			
		4000 (if selling price £10) (2) 2000 (if selling price £20) (2)			

Question	Expected Answer				
4 (b)	All figures in £ Cash Inflow	July 2008	August 2008	September 2008	
The table below is extracted from	-Own Savings	10,000	0	0	
the cash-flow forecast which Anita	-Loan	20,000	0	0	
prepared as part of her application	-Sales Revenue	0	7,500	9,000	
for a loan to finance Option Two -	Total cash flow	30,000(1)	7,500	9,000	
opening of the shop in Norford.	Cash outflow				
Complete the table.	-Capital expenditure	20,000	0	0	
	-Lease	10,000	0	0	
[7 marks]	-Payment for stock	5,000	5,000	5,000	
OFR	-Wages paid	0	1,200(1	1) 1,200	
	-Overheads paid	300	300	300	
	Total cash outflow	35,300	6,500	6,500	
	Net cash flow	(5,300)(1)) * 1000	2,500 (⁻	1)
	Opening balance	0	(5,300)(•	•
	Closing balance	(5,300)(1)) * (4,300)	(1,800)(1)*
	OFR applies where * shown	۱.			

Question	Expected Answer
4 (c)	Level 1 . Candidate states benefits and/or drawbacks of drawing up a cash-flow forecasts (no context required) (1-3 marks).
Analyse the case for drawing up a cash-flow forecast for a new venture such as Option Two – the opening of the new shop in	Level 2 Candidate states arguments for benefits and/or drawbacks of drawing up a cash-flow forecasts for Anita (4-6 marks).
Norford.	Level 3 Candidate analyses the benefits and drawbacks of drawing up a cash-flow forecasts for Anita (7-9 marks).
[9 marks] Levels AO1 L1 AO2 L2 AO3 L3	 Answers include:: Indicates whether a new venture is viable. Shows whether the new venture is affordable. Indicates whether additional capital is needed. Exemplar response: A cash-flow forecast shows whether a new venture is viable (L1). Anita can predict the cash inflow/outflow of the new venture (L2). However, the forecast is only as good as the assumptions on which it is based (L3).

Question	Expected Answer
5 (a)	Up to 2 mark for each category – strengths/weaknesses/opportunities/threats.
Complete a SWOT analysis for Anita's existing business as a stall holder in Norford market.	Strengths Experience of successful business (1) Good reputation (1) Low overheads (1) Cheap products (1)
[8 marks] AO1 4 marks AO2 4 marks	Absence of competition (1) Trustworthy employees (1) Weaknesses
	Poor record keeping (1) Limited trading days (1) Lack storage space (1)
	Lack transport (1) Limited sources of finance (1) Cash in hand dealings (1) Opportunities
	Expansion to neighbouring towns (1) Absence of rivals or close rivals (1) Partnership with Sandra (1)
	Relocation (1) Diversification and extending product range (1) Threats
	Demographic trends (1) Rise of e-commerce (1) Fluctuation in exchange rates (1)
	Competition (1) Ethical (1) Weather impact on sales (1)

Question	Expected Answer		
5 (b)	Answers include:		
Identify and explain two reasons why a SWOT analysis is essential for a small business such as Anita's Tiny Tots. [6 marks]	 Helps to set objectives Improve decision making Identify strengths Identify weaknesses Identify opportunities Identify threats Part of business plan to gain financial resources 		
	Exemplar responses: Swot analysis provides managers with information in order to improve decision making (1). By identifying the strengths/ weaknesses Anita will be able to improve the running of her business (1). For instance she should improve her financial record keeping. (1). Swot analysis allows opportunities to be identified (1). Knowing the opportunities Anita can make a more informed decision about the future of her business (1). For example, by examining the demographic trends, she might start stocking clothes for other age groups for the long-term survival of her business (1).		

Question		Expected Answer
5c		Level 1 Candidate makes general comments about expansion options (no context required) (1-3 marks).
Evaluate the expansion options available to Anita Patel.	•	Level 2 Candidate gives one or more arguments for or against one or other of Anita's options (4-6 marks).
[12 marks] AO1 AO2	L1 L2	Level 3 Candidate analyses arguments for and against Anita's options (7-9 marks).
AO3 AO4	L3 L4	Level 4 Candidate evaluates for and against Anita's options giving reasons for a chosen option (10-12 marks).
		Exemplar response:
		Businesses need to expand in order to increase market share (L1) . The extra markets option allows Anita to increase her trading and therefore, sales revenue (L2) . This option involves less cost than opening a shop but the long-term growth prospects are limited (L3) . Anita has insufficient finance as well as the fact that she has reservations about taking a partner, it might be better for Anita to choose this over the more expensive option (L4) . Anita should balance the benefits of developing sales outside the small town of Norford with the increased costs and risks associated with opening a shop. The safer and therefore the recommended option is to remain a market trader (L4) .

F243 The impact of customer service

Question	Expected answer
1 (a) Identify two characteristics of a typical customer to <i>The Hot Spot</i> . [2 marks] AO2 2 marks	 Female Twenty five years old In part time employment Living locally
1 (b) Identify and describe three reasons why it is helpful for firms to identify their type of customer. [6 marks] AO1 6 marks	 So they can see who they aren't currently appealing to (1) and so try to get those people interested (1). To make sure they provide customer service appropriate to those people (1) so that they don't leave (1). To help them use their resources more effectively (1) so that they don't waste money providing something their customers wouldn't like (1). So they can undertake specific marketing activities such as deals or offers (1) which will appeal to a certain type of person (1).

Question	Expected answer
1 (c) Analyse the decision to target the sixth form students as potential customers of <i>The Hot Spot</i> .	Level 1: candidate makes simple statements out of context regarding targeting a new market (1-3 marks). Level 2: candidate identifies either benefits <u>or</u> drawbacks to the decision to target the sixth form students (4-6 marks). Level 3: candidate analyses (ie benefits and drawbacks) the decision to target the sixth form students. (7-9 marks).
[9 marks] Levels AO1 3 marks AO2 3 marks AO3 3 marks	It is always a risk for a business to target a completely different market (L1) as they may not be successful and lose money in the process (L1) and could alienate their current customers (L1). Targeting the sixth form students was a good idea on the grounds that Michael had not targeted them before (L2) and they were local to his business so were available to come for a tan on a regular basis (L2). However, it was a mistake to only offer the deals when the students should be in lessons (L3) and some parents would naturally not want their children to participate in something that could be a health risk (L3). Also, students do not have that much disposable income and may not actually be in the area for large chunks of the year (L3).
2 (a) Identify and explain three elements of excellent customer service which customers would expect from <i>The Hot Spot</i> . [6 marks] AO1 3 marks	 They would expect everything to be clean and tidy (1) such as the tanning rooms and reception area (1). They would expect helpful advice to be given (1) if they wanted help on how to use the tanning units for example (1). They would expect to have their details taken down correctly (1) if they phoned up to book a tanning unit (1). They would expect to be taken seriously if they complained (1) and for Michael to compensate them appropriately (1).
AO2 3 marks	

Question	Expected answer
2 (b) Identify two pricing strategies used by The Hot Spot. [2 marks] AO2 2 marks	 A discount of £1 per session Buy one session get another session free Block bookings – further 20% off
2 (c) Give three reasons why businesses such as <i>The Hot Spot</i> use a range of pricing strategies. [3 marks] AO1 3 marks	 Pricing strategies enable firms to attract customers (1) by offering them their product at a discounted price (1). This means that they should be tempted to buy the product as they are not paying full price for it (1). Pricing strategies are a way of encouraging customers to buy more of a product than they may do normally (1). This should hopefully lead to repeat sales (1) even when the product goes back up to full price (1).
3 (a) Identify and explain three ways in which Michael could discover how the people of Moorton feel about The Hot Spot. [6 marks] AO1 3 marks AO2 3 marks	 Face to face questionnaire (1) where Michael goes into the town and asks the shoppers that he sees (1). Freephone number (1) which the people of Moorton can be encouraged to phone with their views (1). Focus group (1) of a few Moorton residents to discuss various elements of The Hot Spot (1). Observing behaviour (1) of the local people, eg, do they walk past the salon or look in the window? (1). Postal survey Phone survey

Question	Expected answer
3 (b) (i) [6 marks] AO1 2 marks AO2 4 marks	 She can see how they treat their customers when they first walk in (1) and if the customers are responding well to it (1). She can then try to emulate the same type of service at The Hot Spot (1). She can see if they use any pricing strategies or special offers to entice customers (1) so The Hot Spot may be able to undercut them (1) and take their customers away (1). She can get ideas about how to improve the reception area of The Hot Spot (1) by seeing how Hardy's have theirs laid out (1). She could then try and make The Hot Spot's even better (1).
3 (b) (ii) State and explain two reasons why Tracie carrying out an observation at Hardy's Health Spa is: a good idea a bad idea. [6 marks] AO1 2 marks AO2 4 marks	 Tracie is not working at The Hot Spot whilst at Hardy's (1) which leaves Michael on his own to work (1) which may be problematic if there is a sudden influx of customers (1). Hardy's customers are of a different type to the ones who use The Hot Spot (1) so their customer service may be geared towards a group of people who are irrelevant (1) and bear no relation to what Michael is trying to achieve (1). Tracie is only visiting Hardy's on one specific afternoon (1) and their customer service may vary dramatically depending on the time of day or week (1) so she may have a false impression of how they deal with their customers generally (1).

Question	Expected answer
4 (a) Describe what is meant by a 'taster session' (Fig 2). [3 marks] AO1 3 marks	A taster session is where a customer would get to try out the facilities of a business (1) for a short amount of time (1). This should allow the customer to experience the service without any commitment (1) and will hopefully then become a paying customer (1).
4 (b) Identify and explain two reasons why offering taster sessions would be beneficial to <i>The Hot Spot</i> . [4 marks] AO2 4 marks	 The Hot Spot is not doing as well as it could be (1) so by offering customers a free taster session, it gives them the opportunity to try the tanning units out and discuss any concerns with Michael and Tracie (1). It gives people the opportunity to try out the facilities (1) so hopefully be impressed and wish to return to The Hot Spot as a paying customer (1).
4 (c) Describe how a loyalty card scheme might operate.	Possible answers could include: • A customer could be issued with a card (1) that, every time they purchase a product, they get a point (1) which could eventually be traded in for a free product or other reward (1).
[2 marks] AO1 2 marks	

Question	Expected answer
Evaluate the extent to which a loyalty card scheme might increase customer numbers at <i>The Hot Spot</i> . *QWC is assessed here. [12 marks] Levels AO1 3 marks AO2 3 marks AO3 3 marks AO4 3 marks	Level 1: candidate describes how a loyalty card scheme might increase customer numbers to a firm (1-3 marks). Level 2: candidate describes how a loyalty card scheme might increase customer numbers to The Hot Spot (4-6 marks). Level 3: candidate analyses how a loyalty card scheme might increase customer numbers to The Hot Spot (7-9 marks). Level 4: candidate evaluates to what extent a loyalty card scheme would increase customer numbers to The Hot Spot (10-12 marks). A loyalty card is likely to increase customer numbers for a firm by encouraging people to buy their goods, and in return they gets some sort of prize or benefit after a certain number of times (L1) which is motivational for the customer (L1). A loyalty card therefore may encourage current customers to The Hot Spot to have a tanning session more frequently (L2) in order to get the reward (L2). However, people who have never visited The Hot Spot are unlikely to want to visit for the first time just because there is a loyalty card scheme running (L3) as they would have to visit several times for any benefit (L3) so is unlikely to tempt them to come in (L3). Using a tanning unit is something that would only appeal to a certain type of person anyway (L3) - a lot of people would just not use one whatever the offer was (L3). Realistically, a loyalty card scheme may boost sales amongst Michael's regulars, but it's possible that they would have their tanning done there anyway (L4); it's highly unlikely to increase the numbers of new customers to The Hot Spot as it would be seen as irrelevant (L4).
5 (a) State and explain three effects an untidy reception area may have on The Hot Spot. [6 marks] AO1 3 marks AO2 3 marks	 It makes The Hot Spot look unprofessional (1) and so may put off potential customers (1) It may be a Health and Safety Hazard (1) as customers waiting for their tanning session may slip and hurt themselves (1) Tracie and Michael could get demotivated (1) by working in such an untidy place (1) It may appear to the regulars that Michael doesn't think they're worth the effort (1) and so might start going to Hardy's Health Spa instead (1)

Question	Expected answer
5 (b)	Possible answers could include:
Other than health and safety and data protection legislation, identify three laws that are relevant to a business such as <i>The Hot Spot</i> .	 Supply of Goods and Services Trades Descriptions Weights and Measures Disability Discrimination
[3 marks]	
AO1 3 marks	

Question	Expected answer
5 (c)	Level 1: candidate identifies the possible consequences to a business focusing on customer service (1-3 marks).
Discuss the possible consequences to The Hot Spot if it does not	Level 2: candidate identifies the possible consequences for The Hot Spot if it does not become more customer service focused (4-6 marks).
become more focused on customer service.	Level 3: candidate analyses the possible consequences for The Hot Spot if it does not become more customer service focused (7-9 marks).
[12 marks] Levels	Level 4: candidate discusses the possible consequences for The Hot Spot if it does not become more customer service focused (10-12 marks).
AO1 3 marks	
AO2 3 marks AO3 3 marks AO4 3 marks	• It is important for firms to focus on customer service if they are to stay in business (L1). The Hot Spot has a competitor – Hardy's Health Spa (L2) and so if Michael does not offer his customers something special then they will look to get their tan done elsewhere (L3) and so Michael will lose money (L3). Customers' demands change dramatically over time (L1) so it is important that Michael also changes to satisfy those requirements (L2). The Hot Spot currently has a few regular customers who like going there whatever the service is like (L2) which is excellent for Michael (L2) but unfortunately this business alone is not enough to keep The Hot Spot going indefinitely (L3); soon they may get fed up and leave (L3). Michael must strive to put the customer at the heart of everything he does if he is to attract new people to his salon (L4). Realistically, if customers are not catered for correctly then the future of The Hot Spot is at stake (L4) as people take their business elsewhere and profits drop (L4).

F248 Strategic decision-making

Question	Expected Answer
1 (a)	Up to two marks
What is magnet but the town (mission	Descible responses may include:
What is meant by the term 'mission	Possible responses may include: Objectives and aims (1), vision, public image, philosophy, direction, reason for existence, culture
statement'?	Objectives and aims (1), vision, public image, philosophy, direction, reason for existence, culture
[2 mark]	A mission statement is a brief outline of the general purpose of a business (1). It is used to provide
AO1	direction for the business (1) and also as a way of branding the business in the public eye (1).
Annotation ✓	
(b)	Only mark 1 strategic objective. If more than one strategic objective given mark the best one. However
()	accept a development of a second strategic objective from a first eg profit (1) from expansion (+1)
Explain one strategic objective that	
KM plc might have in January 2009.	One mark for correct identification plus up to two marks for further explanation in context.
[2] (4 : 2)	Minat he atvetagic (not expectional as biving many staff)
[3] (1+2)	Must be strategic (not operational eg hiring more staff).
AO1 1 AO2 2	Gain market share/reputation in SW Growth/Expansion geographical or otherwise
AUZ Z	Profit maximisation
Annotation ✓	Revenue max
Annotation	Status/prestige
	Corporate image
	Survival/Breakeven (in reference to 2009 economic climate not startup)
	Garvival/Breakeven (in reference to 2003 coonstille similate not startup)
	NB – can be nothing to do with South West expansion, but should be about KM plc for the development
	marks.
	Eg
	Firms on the verge of expansion will want market share (1). For KM plc the SW is a new market and it will
	want to get established (1). Once it has made a name for itself it will then consider consolidating this newly
	won market share (1).

Question	Expected Answer
(c)	Must relate to FINANCIAL planning.
	One mark for each reason plus a further two marks for explanation in relation to KM plc (twice).
KM plc has put together a business	
plan for the expansion into the	To get finance from a bank
South West. Explain two reasons	To plan for likely revenues – when and how much
why it is important that KM plc	To plan for costs and general budgeting
includes financial planning as part	Monitor performance
of this document.	Plan for shortfall of funds
[6 marks]	Eg
(1+2)+2	Financial planning is needed so that businesses can plan likely costs (1). KM plc will need to identify costs
AO1 2	such as delivery vehicles as they are costly and critical to the business (1). If it has inaccurately planned
AO2 4	for this expense then it will either be operating at a loss or unable to meet demand (1).
Annotation ✓	
2 (a)	No marks for disadvantages – THE QUESTION ASKS FOR ADVANTAGES.
KM plc uses break-even analysis to	1 mark for each description, 1 mark for explanation (three times)
help decide whether it is	
worthwhile setting up in a new	Gives the output necessary to cover costs.
region. Describe three reasons why	Shows margin of safety
firms might think break-even	Shows profit (or loss)
analysis is a useful decision-	Helps a firm decide selling price
making tool.	Can help identify FC and VC and how it change them
[6]	Gain finance from bank/stakeholders (watch for repetition) Visual tool (not easy tool)
[6] (1+1)+3	Modelling tool (not comparison)
AO1	
101	Eq
Annotation ✓	It shows the output necessary to break even (1). This is useful because gives the firm a target for
, amount .	production and sales (1).

Question	Expected Answer
(b)	Up to six marks
Calculate how much profit or loss KM plc would make on this one-off removal from Scotland.	Revenue £300 fixed fee + £1645 Distance (7x£235) + £690 Containers (6x£115) (1 mark) = £2,635 (1)
[6 marks] AO1 3 AO2 3	Costs £1368 staffing (1 RS + 3 RA, total £38 per hour x 36 hours) + vehicles £1,300 (2x£650) (1) = £2,668 (1)
Annotation ✓ OFR	Profit = revenue - costs(1) Stated or used Loss of £33 (£2,635-£2,668) (1) 6 marks for correct answer

dvantages that are	
Candidate can do a variety of calculations that involve ignoring vehicle costs (ie absorbing them elsewhere) and thus making a profit.	
on /I 4) In this	
on (L1). In this	
doing a removal in	
gh, on just how s. A loss of £33 is	
s. A 1055 01 £33 15 1g (L4).	
y (∟4).	
r	

Question	Expected Answer
3 (a)	One marks for brief statement, second mark for further development.
What is meant by the term 'labour productivity'?	This measures how much labour produces (1). It is the output divided by the amount of labour
	time/workers (1).
[2 marks] AO1	Amount produced (1) per employee (1).
Annotation ✓	
(b) (i)	
Simon measures labour	Up to three marks
productivity in terms of containers	Labour productivity = output/no. of workers/labour time (1 mark)
moved per removal staff. Calculate	181+52= 233 containers (1)
the labour productivity for all	233 containers/18 removal staff = 12.9 containers per person (1)
removals in South Wales in August 2008.	Accept 12 (as 0.9 is an incomplete unit)
[3 marks] AO1 1	Also accept 13 (12.9 rounded up)
AO2 2	Full marks for correct answer
Annotation ✓	

Question	Expected Answer
(ii)	
	Up to three marks
Calculate the rate of absenteeism	
among storage staff in South	Absenteeism = days lost/no. of possible days of work (1)
Wales in August 2008.	22 possible days x 5 storage staff = 110 possible days work (1)
	16 days lost/110 = 14.5% absenteeism (1)
[3 marks]	
AO1 1	Accept rounding to 14 or 15.
AO2 2	
Annotation ✓	

Question	Expected Answer	
(c)		
	Absenteeism for Storage Staff is 14.5%	
Analyse possible reasons why		
there is a difference in	Absenteeism for Removal Staff is	
absenteeism and labour turnover	18x22 = 396 7/396 = 1.8%	
between the removal staff and		
storage staff in the South Wales	Many possible answers include:	
region.	Poor motivation	
	Lack of training	
[6 marks]	Poor supervision	
AO1 2	Lack of equipment	
AO2 2	Pay rates	
AO3 2	Job satisfaction	
	Nature of job	
Annotation L1 L2 L3	Contractual differences	
	Level 1 (1-2)	
	Identification/explanation of general reasons - identify difference in rates	
	Level 2 (3-4)	
Explanation of reasons in context of KM plc		
	Level 3 (5-6)	
	Candidate analyse(s) possible reasons why there is a difference in absenteeism and labour turnover between the removal staff and the storage staff in the South Wales region	
	Eg	
	Poor morale is usually a reason for high absenteeism and labour turnover (L1). At KM plc South Wales this could well be the case. There is a history of poor pay for storage staff (L2). This would make them feel unwanted and inferior to the removal staff teams who are better paid, trained and led - hence their low rates of turnover and absenteeism (L3).	

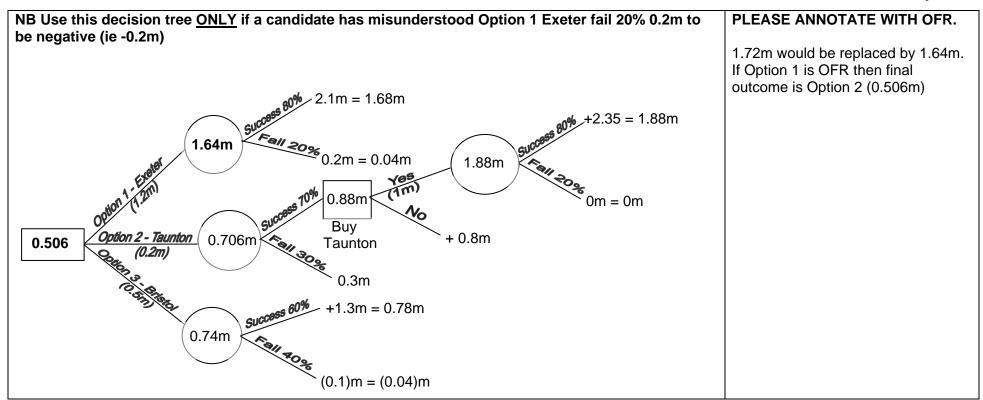
Question	Expected Answer
4 (a) Complete the decision tree below.	Two marks per correct node x 6
[12 mark] AO1 6 AO2 6	
Annotation ✓	

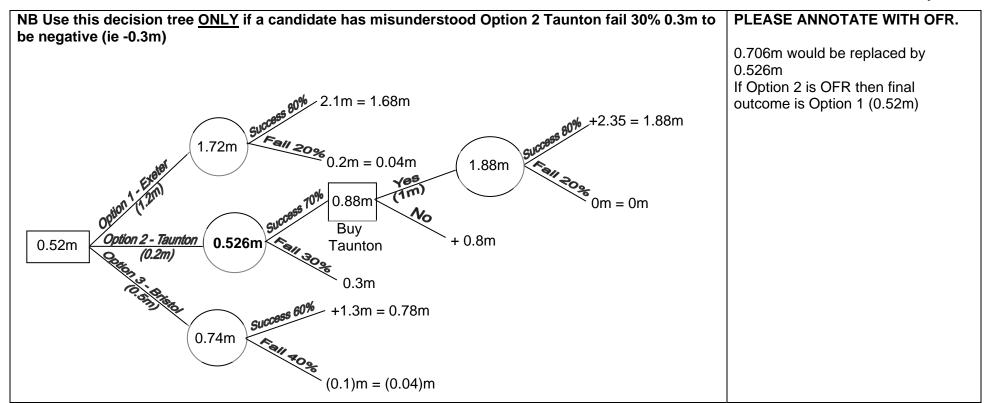
2.1m = 1.68m9.2m = 0.04m +2.35 = 1.88m 1.72m 0m = 0m 1.88m 0.88m Buy Option 2 - Taunton 0.706m + 0.8m 0.52m Taunton 0.3m +1.3m = 0.78m0.74m (0.1)m = (0.04)m

NB Use this answer unless OFR applies

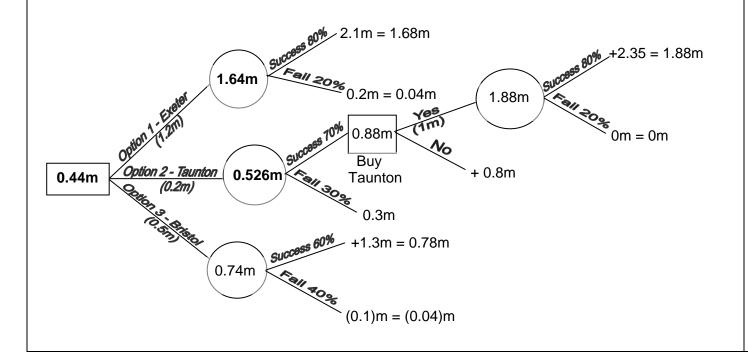
3 possible alternative responses if 'fail' options (where plus sign is not specifically stated on question paper) are misinterpreted by candidates as negatives (ie fail 0.2m interpreted as <u>-</u>0.2m and fail 0.3m read as -0.3m)

PLEASE SEE ALTERNATIVE DECISION TREES FOR ALTERNATIVE RESPONSES





NB Use this decision tree <u>ONLY</u> if a candidate has misunderstood Option 1 Exeter fail 20% 0.2m to be negative (ie -0.2m) <u>AND</u> Option 2 Taunton fail 30% 0.3m to be negative (ie -0.3m).



PLEASE ANNOTATE WITH OFR.

1.72m would be replaced by 1.64m and 0.706m would be replaced by 0.526m.

If BOTH Options 1 and 2 are OFR then final outcome is Option 1 (0.44m)

(b) Level 1 (1-2) Assess the extent to which a Knowledge of decision trees with no context		
Assess the extent to which a Level 1 (1-2) Knowledge of decision trees with no context		
decision tree is useful to KM plc in		
its strategic decision-making. Level 2 (3-4)		
Applies knowledge to the context or lists of ads/disads with no context	t.	
[12 mark]		
AO1 2 Level 3 (5-7)		
	Candidate analyses the usefulness of a decision tree to KM plc in its strategic decision making OR	
	analysis with no context (reward 5 max)	
AO4 5		
Level 4 (8-12)		
Annotation L1, L2, L3, L4 Candidate assesses (evaluates) the extent to which a decision tree is	s useful to KM plc in its	
strategic decision making		
(only rewardable for candidates who write in L3 in context)		
Issues:		
Quantifies decisions - maybe better than qualitative information		
Use of probability		
Outcomes and probabilities are not fact - how produced?		
Easy to make it biased		
Many external factors that can make it inaccurate		
Eg		
Decision trees rely on accurate information (L1). KM plc will find it har		
probability information (L2). This is because, for example, it has not go		
the SW and what it has done is difficult to translate into probability and		
meaningless (L3). It may, however, work well if KM plc does thorough		
maybe employ an agent, and can, therefore, rely on the quantitative d	ala (L4).	

Question	Expected Answer
5 (a)What is meant by the term 'contingency plan'?[3 marks]AO1Annotation ✓	One mark for basic statement and up to two marks for further development. Eg A contingency plan is planning for the unforeseen (1). It is proactive approach to predicting possible changes in, say, demand (1) and enables the management of the situation to be more efficient (1).
Amotation	
(b)	Up to four marks for basic/general idea of ANY plan in relation to KM plc and up to three marks for further detail in context.
Outline one possible contingency plan that KM plc could produce.	ARA
[4] AO1 1 AO2 3 Annotation ✓	Eg KMP could plan for an alternative region should the SW fail again (1). This would mean KMP doing market research elsewhere (1), considering the re-allocation of resources, such as staffing, elsewhere (1) and putting together an alternative financial plan (1).

Question	Expected Answer
6	This is the QWC question. Please follow the instructions at the beginning of the mark scheme.
Using qualitative and/or quantitative	Level 1 (1-4)
information other than a decision	General comments about expansion or other issues - out of context
tree, recommend and justify which	
of the three South West expansion	Level 2 (5-9)
options KM plc should select.	Explanation/list of reasons related to options
	OFR applies
[20 marks]	
AO1 4	Level 3 (10-14)
AO2 5	Candidate analyses which of the three south west expansion options KM plc should select
AO3 5	
AO4 6	Level 4 (15-20)
	Candidate RECOMMENDS and justifies (from analytical comment) which of the three South West
Annotation L1 L2 L3 L4	expansion options KM plc should select
OFF	
OFR	Many different possibilities
	Eg .
	Expansion is a good option for most businesses after years of operation (L1). Option 1 has marginally the
	higher return according to the decision tree and so must be considered strongly (L2). However, this
	option would involve a considerable amount of financial commitment up front unlike, say, Option 2 which
	involves renting (L3). This is better in KM plc's situation because of its previous experience in the SW and
QWC	it would be better to 'wait and see' with minimal financial commitment (L4).

F256 Business law

Question	Expected answer
1 (a)	Limited liability means that shareholders are only liable to meet the debts of the business to the extent of their investment in the business through shares. Personal possessions cannot be claimed to pay off
Explain the term limited liability.	company debts.
[2 marks] AO1	Accept references to incorporation or separate legal identity as this is the legal foundation to limited liability.
	However, do not award references to being sued, ie company sued not shareholders. as this relates directly to incorporation rather than limited liability.
	Eg The shareholders of SB plc have limited liability so any claim on the business will not cost them personally (1). A shareholder's house, car or other possessions are not at risk of being lost if the company gets into financial difficulties (1).
	Eg If the shares are fully paid up then no further claim can be made on the shareholder (1).

Question	Expected answer
1 (b)	Documents include:
	Memorandum of Association
Explain two documents which are	Articles of Association
required to set up a company such	Form 10 Form 12
as SB plc.	Certificate of Incorporation
[6 marks]	Certificate of incorporation
AO1 2 marks AO2 4 marks	Accept any correct detail as to content or purpose of the document for explanation marks.
	Eg Memorandum of Association (1) which regulates the relationship of the company with the outside world (1). It includes the company name with plc after it (1), the registered office (1), objects (1), liability of the members (1) and authorised share capital (1).
	Eg Articles of Association (1) which states the internal rules which govern the company's organisation (1). It includes the rules about meetings (1) and the voting rights of shareholders (1).
	Eg Form 10 (1) which includes the name of the company's first registered office (1) and the names of the directors and company secretary (1).
	Eg Form 12 (1) which is a statutory declaration which needs to be signed by a qualified person stating that all the requirements of the registration process has been complied with (1).
	Eg Certificate of Incorporation (1) – a document issued by the Registrar of Companies which identifies that the firm has been incorporated and has a separate legal identity from its owners (1). Possession of this document allows a plc to begin trading (1).

Question	Expected answer
1 (c*)	
. (0)	Evaluation of the decision to remain as a public limited company rather than becoming a private limited
QWC assessed here.	company.
	Essentially advantage(s)/disadvantage(s) of plc v ltd.
Evaluate the case for and against	
SB plc remaining as a public	Should be in context.
limited company rather than	Lancas Smaller de c
becoming a private limited	Issues include:
company.	Public issue of shares as opposed to private issue
[15 marks]	Trading on the Stock Exchange, share price volatility, increased risk of takeover
AO1 3 marks	Publication of financial data
AO2 3 marks	Media attention
AO3 4 marks	Divorce between ownership and control
AO4 5 marks	Requirement to hold AGM's for plcs but not for ltds
	Limited liability is not an issue.
	Do not award references to size unless clearly referenced to business ownership (plc/ltd) and applied specifically to SB plc.
	Level 1 – (1-3 marks) Candidate demonstrates knowledge of plcs and/or ltds with no reference to SB plc.
	Level 2 – (4-6 marks) Candidate applies knowledge of plcs/ltds to outline advantage(s)/disadvantage(s) of plcs/ltds as appropriate to SB plc.
	Level 3 – (7-10 marks) Candidate analyses advantage(s) and/or disadvantage(s) clearly explaining the implications to SB plc. Level 4 – (10 -15 marks) Candidate evaluates the case for and against SB plc remaining as a plc by giving a fully supported judgement on whether SB plc should remain as a plc or change to an Itd following on from an analysis of both the advantage(s) and disadvantage(s).

Question	Expected answer
	There must be a decision with valid reasoning, supported by a two-sided argument, to award L4 .
	Eg Plcs can issues shares on the Stock Exchange (L1 .) SB plc is able to raise finance through selling shares to the public on the Stock Exchange (L2). This means they will be able to raise more money than they would as an ltd which will help with its expansion plans (L3). However, being quoted on the Stock Exchange puts it at risk of a hostile takeover (L3). Given the rumours of interest from an American burger chain SB plc may seek to protect itself by becoming an Ltd, the costs of the extensive advertising campaign seems to already have been met by reducing this year's dividends to shareholders (L4).
	Eg Plcs must publish their financial data (L1). The fact that SB plc is operating as a plc means that its financial data becomes public knowledge, it can be commented on in the press and competitors can see its performance (L2). This may be a significant disadvantage to SB plc as it is considering undertaking a major advertising campaign and will not wish to alert the competition to its planned activities (L3). Becoming an Ltd however would make it more difficult to raise money for the advertising campaign as shares can only be sold, by consent, to private individuals (L3). Therefore I think that SB plc needs to remain as a plc but ensure that it acts quickly with its advertising campaign and keeps the detail under wraps as much as possible (L4).

Question	Expected answer
2 (a)(i) What is meant by case law?	Case law is made up of legal principles decided by judges where at the time of the case no legislation to cover the case was in force. These written decisions of judges then become binding in future similar cases.
[2 marks] AO1 2 marks	Eg These laws are made by the decisions of judges in court cases (1). Some of these decisions may have been made in the nineteenth century but are still valid today (1). Eg Legal principles are laid down in previously decided cases (1). Judges can exercise 'judicial precedent' which means to 'stand by what has already been decided' (1).
2 (a)(ii) Explain two differences between criminal law and civil law [4 marks] AO1 4 marks	Criminal law regulates dangerous behaviour whereas civil law governs relationships between one another. In criminal law it is the State that takes action against offenders whereas in civil law it is the person who is wrong who takes action. The main aim of criminal law is to punish the offender whereas the main aim of civil law is to compensate the victim. Criminal cases are heard in Magistrates' or Crown Courts whereas civil cases are dealt with in County and High courts. Standard or burden of proof for a criminal case is 'beyond all reasonable doubt', for a civil case it is only "on the balance of probabilities". Accept examples as explanation for awarding explanation marks. Eg The Crown brings action in a criminal case rather than the wronged person (1), therefore in a murder case it will be the police (CPS) who press charges (1).
	Eg The police bring the action in a criminal case whereas the wronged person takes action in a civil case (1). This means that the police are not usually involved in a civil case (1).

Question	Expected answer
	Eg The burden of proof is to a much higher standard in a criminal case (1). In a civil case the judgement is made on the balance of probabilities but in a criminal case it must be beyond all reasonable doubt (1).
	Eg The main aim of criminal law is to punish rather than compensate (1) therefore fines and imprisonments are likely judgements rather than remedies for damages (1).
2 (b)	The EPA requires men and women to be paid the same for the same job provided ALL circumstances are the same – start date, length of service, qualifications, experience etc.
Emily thought she was being treated unfairly by not being paid the same wage rate as other employees. Explain whether the Equal Pay Act may apply in this	Level 1 (1 - 2 marks) Candidate shows knowledge of unfair treatment at work and/or the Equal Pay Act with no reference to Emily or her situation.
case.	Level 2 (3 – 4 marks) Candidate explains whether the Equal Pay Act would apply in Emily's situation.
[4 marks] AO1 2 marks AO2 2 marks	Eg The EPA ensures that men and women are paid the same for the same job (L1) or work rated as equivalent (L1). The EPA may apply in this case if Emily is being paid differently from an employee who started work at the same time in the same job (L2). However, if Emily was comparing her wage rate to employees who had worked in the business for a while it is unlikely that the work is rated as equivalent and the EPA would not apply (L2).
2 (c)(i) What is meant by contributory	Contributory negligence is when a person has an accident at work and in some way contributes to the cause or outcome. Their actions may make the accident more serious and lead to a reduced compensation claim.
negligence?	Accept a valid example, if offered, for the second mark.
[2 marks] AO1 2 marks	No context is required. Eg If an accident at work is partially caused by the actions of the employee (1) then the employee will be held partially to blame (1).
	Eg Any compensation paid out to an employee in the event of an accident at work is likely to be reduced (1) to the extent to which the employee contributed to their own downfall (1).

Question	Expected answer
	Eg An accident may have been caused or even been more serious because of the workers own action (1), for example when carrying some boxes they did not follow company safe lifting procedures (1) and are therefore deemed partially responsible for the injured back they suffered whilst carrying the heavy boxes (1).

Question	Expected answer
2 (c)(ii)	Reasons would include:
Emily had an accident at work. Explain two reasons why contributory negligence may apply in this case.	Hurrying to leave (1) – did not show enough care to health and safety regulations (1) Floor mopped carelessly (1) – slipped on a dangerous floor that she herself had created (1) Taking mobile phone call (1) – not concentrating on what she was doing (1)
[4 marks] AO1 2 marks AO2 2 marks	Eg Emily mopped the floor poorly leaving it wet (1) and therefore contributed to the accident through her own negligence when she slipped on the wet floor (1). Emily was answering her mobile phone at work (1). This may have caused or contributed to her accident as she may not have been concentrating on what she is doing (1).
2 (d)	Essential reasons for/against fair dismissal.
Evaluate whether or not Emily's dismissal was fair. [15 marks] AO1 3 marks AO2 3 marks AO3 4 marks AO4 5 marks	Should be in context. Issues include: Victimisation – Emily being asked to do menial tasks, unequal pay, unfair treatment, no performance bonus. Sufficiency of training – negligence Poor punctuality without good reason General attitude to work improved after verbal warning Contributory negligence – following of health and safety procedures Cause of accident and degree of injury Constructive dismissal? Level 1: [1-3 marks] Candidate shows knowledge of the law in relation to dismissal to the case of Emily, outlining the issue(s) to be considered in this case.

Question	Expected answer
	Level 3: [7-10 marks]
	Candidate analyses legal reasons for/against Emily's dismissal being fair.
	Level 4: [11-15 marks] Candidate evaluates whether or not Emily's dismissal was fair. Candidate gives a fully supported judgement on whether Emily's dismissal was fair following on from an analysis of both sides of the argument. There must be a judgement with valid reason supported by a two-sided argument to award L4. Eg An employee can be dismissed fairly for misconduct (L1). Emily has turned up late to work on a number of occasions, persistent lateness would be grounds for dismissal for misconduct (L2). However, the reason for the lateness was not fully investigated by Delia and may have been due to Emily feeling victimised (L3). If Emily was treated unfairly by being paid differently to the others and being asked to do more menial tasks then she may have a case for constructive dismissal (L3), however turning on time for work is within her control and therefore it is likely that it would be deemed she brought the situation upon herself and was guilty of misconduct and therefore fairly dismissed (L4). Eg An employer may not treat one employee more favourably than another, victimisation is wrong (L1). Emily can argue that she was victimised as she was not paid a bonus (L2). However the performance related bonus was withheld after Emily received a verbal warning for her attitude at work and Delia could argue that this poor attitude was the reason for her dismissal (L3). However, given the long list of mistreatments Emily has suffered however – low pay, menial tasks, etc it is likely Emily could argue she
	mistreatments Emily has suffered however – low pay, menial tasks, etc it is likely Emily could argue she was victimised and therefore that the dismissal was unfair (L4).

Question	Expected answer
3 (a) (i)	Provisions include: Weight/measure should be stated/indicated
State two provisions of the Weights and Measures Act.	Weight/measure should be accurate As labelled
[2 marks]	Not misleading
AO1 2 marks	No context is required.
	Eg Goods provided must be equal to or greater than their stated quantity (1).
	Eg The Weights and Measures Act provides strict rules to make sure that goods sold by weight or by measure do not mislead the public (1).
	Eg If Delia sold burgers which are underweight this is in breach of the WMA Act (1)
3 (a) (ii)	NB Do not award marks for the provision itself this has been awarded in 3 (a) (i). Answers must relate to the affect on Delia's business eg action she must/must not take, or results of such actions.
Explain how the two provisions stated in part (a)(i) may apply to Delia's business.	Eg Delia must ensure that her burgers are the correct weight or heavier (1) or she risks being prosecuted under the WMA (1)
[4 marks] AO2 4 marks	Eg Misleading customers as to the size of the burgers (1) may lead to a poor reputation (1).
AUZ T IIIdiks	Eg Delia should not advertise her burgers as quarter pounders (1). Doing so may result in unfavourable media attention and loss of trade (1).

Question	Expected answer
3 (b)	Termination of contract by:
Delia had a contract with Jed	Discharge by performance (1) OR both parties had completed what they had agreed to do (1).
Handslip for the supply of burgers. Outline four ways in which the contract between Delia and Jed	Mutual agreement (1) OR both parties agree to end the contract (1).
could be terminated.	Event that frustrates performance (1) OR external forces make it no longer possible to complete the contract (1) eg death (+1), change in law (+1)
[8 marks] AO1 4 marks	Breach of contract (1) OR either party failing to meet the conditions laid down in the contract (1).
AO2 4 marks	Watch for repetition – eg if marks awarded for breach by one party, do not allow extra marks for a breach example by the other party as this could lead to 4 marks awarded for breach –maximum award for each provision is 2.
	NB development mark MUST be in context
	Eg The contract could be terminated by breach (1). Jed did not deliver the required weight of burger (1).
	Eg The contract can be terminated by mutual agreement (1). Delia can agree with Jed that she will source her burgers from elsewhere due to recent quality issues (1)
	Eg An event that frustrates the contract would terminate the contract (1), such as the death of Jed (1).
	Eg Discharge by performance (1), Jed and Delia may have agreed a fixed length to the contract (1).
3 (c) Explain three possible impacts of the Data Protection Act on Delia's business.	 Data obtained and processed lawfully Kept only for the purposes registered Not disclosed/used for any purpose other than that intended Adequate, relevant and not excessive
[9 marks] AO1 3 marks AO2 6 marks	 Accurate and kept up to date Not kept longer than necessary Must correct data if request received in writing Obligation to protect security

Question	Expected answer
	Not transferred to countries outside the European Union
	Looking for practical impacts/actions/effects for explanation marks.
	Eg Records must be kept up to date (1), this means Delia, or one of her staff, will have to spend time keeping the register up to date (1). This costs money and has an impact on profit (1).
	Eg The DPA requires that all personal information held must be processed for a specified purpose (1). The questionnaires completed by customers and used for Delia's mailshot must therefore indicate that it will be used in Direct Marketing (1). This may mean some customers are put off completing the questionnaires as they would rather not receive direct mail (1).

AO2 3 marks AO3 4 marks AO4 5 marks Level 1 (1 – 3 marks)	Question	Expected answer	
Level 2 (4 – 6 marks) Candidate describes appropriate consumer protection legislation for Delia's business. Level 3 (7-10 marks) Candidate analyses Delia's businesses' position with regards to consumer protection legislation. Level 4 (11 – 15 marks) Candidate evaluates the extent to which Delia's business might be in breach of consumer protectio legislation, reaching a reasoned conclusion based on the weighing up of evidence. Eg The TDA states that goods must be as described (L1) therefore a "quarter pounder" should weigher least that (L2). The customer's contract is with Delia's business and Delia cannot blame her supplies her job to sell the items as described (L3). On the other hand she can only sample her supplies an underweight burger was a one-off then the courts would deal with her leniently. Delia should seek reliable supplier (L4). Eg The Consumer Protection Act says that goods supplied to customers must be safe and not caus harm (L1). Delia's business sold a burger with a piece of plastic in it (L2). If the customer was injure some way from eating the burger then strict liability applies and Delia's business would have to pay compensation (L3). However, if the customer was not injured then no compensation is payable as the content of the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the customer was not injured then no compensation is payable as the custom	3 (d) Evaluate to what extent Delia's business might be in breach of consumer protection legislation. [15 marks] AO1 3 marks AO2 3 marks AO3 4 marks	Can refer to: SSGA – satisfactory quality, fit for purpose, as described TDA – as described CPA – safety/harm WMA SGSA Lots of issues – piece of plastic, was burger safe? As described – quarter pounder? Underweight? Fit for purpose? Satisfactory quality? Level 1 (1 – 3 marks) Candidate shows knowledge of consumer protection legislation. Level 2 (4 – 6 marks) Candidate describes appropriate consumer protection legislation for Delia's business. Level 3 (7-10 marks) Candidate analyses Delia's businesses' position with regards to consumer protection legislation. Level 4 (11 – 15 marks) Candidate evaluates the extent to which Delia's business might be in breach of consumer protection legislation, reaching a reasoned conclusion based on the weighing up of evidence. Eg The TDA states that goods must be as described (L1) therefore a "quarter pounder" should weigh at least that (L2). The customer's contract is with Delia's business and Delia cannot blame her supplier, it is her job to sell the items as described (L3). On the other hand she can only sample her supplies and if the underweight burger was a one-off then the courts would deal with her leniently. Delia should seek a mo	s ne re

Question	Expected answer
4 (a)	Trade Marks Act covers non verbal marks including emblems and symbols used to uniquely identify a business or brand. Trade marks must be registered and not imitate another. They must not be morally
State two main provisions of the Trade Marks Act.	offensive or against the public interest.
	NB do not award marks for what a Trade Mark is but rather for the protection the TMA offers.
[2 marks]	
AO1 2 marks	Do not award marks for answers relating to inventions etc, these are covered in the Copyright, Designs and Patents Act.
	Eg Registering of Trade Mark allows sole use of the Trade Mark (1).
	Eg A registered Trade Mark cannot be copied without permission (1).
	Eg A Trade Mark can be sold as intellectual property (1).
	Eg A Trade Mark is a 'badge' that a business may register with the Patent's Office (1).
	Eg The trade mark must not be deceptive or contrary to law or morality (1).
	Eg Not similar or identical to any earlier marks for the same or similar goods or services (1).

Question	Expected answer
4 (b) State two main provisions of the Copyright, Designs and Patents Act. [2 marks] AO1 2 marks	Copyright, Designs and Patents Act covers tangible creations as well as literary, dramatic, musical and artistic works, sound recordings, films, radio, and typographical arrangements. Once registered for copyright the owners have exclusive rights to copy adapt or sell their work. Anyone wishing to use the design must seek the permission of the owner and pay royalties. Eg Once copyright has been obtained the owners have exclusive rights to the invention or creation (1). Eg Copyrights, designs and patents can be sold like all other property (1). Eg Copyrighted item is a legal infringement (1). Eg Anyone wishing to use your design must seek your permission (1) and pay royalties (1).
4 (c)	Explanation marks MUST be in context.
Explain two possible reasons why George should patent his environmentally friendly packaging.	The patent protects others from using George's environmental packaging (1) which means when George shows the packaging to SB plc they cannot steal his ideas (1). George may be able to sell his patent to a larger burger store (1) raising a great deal of money (1).
[4 marks] AO1 2 marks AO2 2 marks	The patent can be licensed to other burger shops (1) and George can charge a fee for this which will increase his funds (1). George can sell the environmental packaging and its patent (1) this will again enable him to increase his funds (1).

F257 Managing risk in the workplace

Question	Expected Answer
1 (a)	A hazard is something with the capacity to do harm (1) and may be the cause of injury (1).
In the context of health and safety, define the term 'hazard'.	A hazard refers to something which has the potential to cause harm (1) e.g. a method of working (1), or a material or substance (1).
[2 marks] AO1 2 marks	Accept examples for the second mark only.
Outline three laws or regulations which impact on the activities of factory workers at WB plc. [6 marks] AO1 3 marks AO2 3 marks	 Three from: Manual Handling Operations Regulations (1); this outlines how the heavy sacks should be carried (1) Provision and Use of Workplace Equipment Regulations (1) this ensures equipment such as the ovens is used in a regulated manner (1) Health and Safety at Work Act (1) Workplace (Health and Safety and Welfare) Regulations (1) Management of Health and Safety at Work Regulations (1) COSHH (1) The Personal Protective Equipment at Work Regulations (1) Food Hygiene Act (1) Food Safety Act (1) Do not award Recording of Injuries Regulations as this is not under UK jurisdiction Do not award Display Screen Directive as this is a factory. Do not award Data Protection Act as this is a factory. Award for correct example/regulation.

Question	Expected Answer
	Development marks must relate to the context of a bakery.
	NB must relate to factory workers not other areas of the business.
1 (c) Explain three health and safety responsibilities which employees would have towards WB plc. [9 marks] AO1 3 marks AO2 6 marks	 Adhering to health and safety guidelines within the workplace (1) such as correct carrying of heavy sacks of flour (1). Reducing the risk of others working in the area (1). Ensure they are trained before operating equipment (1). This will allow workers to operate machinery such as ovens safely reducing the chance of injury (1). By doing so employees are fulfilling their duty of care other employees (1). Ensuring they take breaks where appropriate (1). This will ensure workers are not tired when operating machinery (1). Thus reducing the risk of creating a hazard able to cause serious injury to others (1). Wearing/using correct protective equipment. Ensure a safe working environment (1). Reporting hazards (1). Reporting accidents (1) Reasonable skill reasonable care (1)

Question	Expected Answer
2 (a)	Everything that is reasonably practicable (1) to maintain standards of health and safety in the workplace (1).
What is meant by the term duty of care?	Must ensure the workers are safe (1).
[2 marks] AO1 2 marks	Ensuring a safe working environment (1).
	Award examples for second mark such as "Providing correct training (1)" or "Providing appropriate equipment or clothing" (1).
2 (b)	WB has a duty of care to their staff (1). This means that WB must ensure the work area is safe for employees (1). WB must make employees aware of potential risks (1).
Explain two Health and Safety responsibilities which WB plc has to its employees in minimising risk.	 WB should provide correct training for employees (1) e.g. how to deal with hot ovens (1) to avoid employees getting burnt (1). Protective equipment (1).
[6 marks]	Ensure safe working (1)
AO2 6 marks	• Ensure safe working environment (1) or ensuring maintenance of any health and safety standards (1)
	 Legal implications of not complying with the law (1) Provision of breaks to employees (1)
	Risk assessment (1)
	Do not accept medical personnel as this is post—event. Do not accept "making aware of potential risks".

Question	Expected Answer
Explain two ways in which a well trained workforce is of benefit to WB plc. [6 marks] AO2 6 marks	

Question	Expected Answer
Describe two possible consequences to a business of a Health and Safety Executive inspection. [4 marks] AO1 4 marks	 Two from: It is the responsibility of the HSE to ensure that risks in the workplace are properly controlled therefore HSE must ensure all risks are adequately controlled (1). In this case the work around the hot ovens needs to be safe to avoid injury through burns (1) The HSE offers guidelines to employers on the provision of safety equipment. In relation to this case, oven gloves may be used in order to avoid burns (1). This may increase the business costs of WB (1) training (1) safer working practices (1) reputation (1) closure permanent or temporary (1) fine (1) which increases costs (1) lower profits (1) sued/taken to court/legal action (1) changes in demand (1) consumer reaction (1) affect on profit (1) or sales (1) repeat visit (1)

Question	Expected Answer
Question 2 (e) Evaluate the extent to which the information in Text 2 reflects a strategic risk to WB plc. [15 marks] Levels AO1 3 marks AO2 3 marks AO3 4 marks AO4 5 marks	Use of response criteria. Level 1: candidate identifies issue(s) with no reference to context [1- 3 marks]. Level 2: candidate applies knowledge and understanding of issues related to the information in text 2 [4 - 6 marks]. Level 3: candidate analyses likely implications of issues arising from the information in text 2 [7-10 marks]. Level 4: candidate evaluates the significance of issues relating to the information in text 2 following a two-sided argument at L3. [11-15 marks]. Issues include:
	Issues include: Motivation Wastage levels Returned product level Orders Productivity Management style Morale Training Duty of care HSE visit Profit/sales Shareholder reaction
	High wastage levels are bad (L1) . WB seems to have a problem as the wastage levels are rising (L2) . However, as returns are also reduced this would seem to indicate the quality of the delivered product is improved (L3) . Therefore although there have been some short term costs, this would seem to be the result of a tightening of quality control therefore improving the reputation of the product in the long term (L4) . High wastage levels are bad (L1) . WB seems to have a problem as the wastage levels are rising (L2) . Therefore this would have a knock-on effect upon rising costs and may lower profit levels. (L3) . However

Question	Expected Answer
	since Ted became supervisor the number of returned products took an immediate fall which indicates that customer satisfaction may have increased (L3) . Given that they have only one contract it is essential to retain the customer because it is the sole source of revenue for WB and therefore completely represents a strategic risk for the business (L4) .
3 (a) In the context of business strategy, what is meant by the term 'risk'? [2 marks] AO1 – 2	 A plan which may have a limited chance of success (1). When making a strategic decision the business will need to consider the risk against the cost of carrying out the activity and the reward from success (1). A strategy that may be successful or unsuccessful (1). When an action has a chance of failure (1) e.g. if a business were to launch a new product the risk would be that the business may fail (1). Award marks for an example. Do not award for hazards.

Question	Expected Answer
3 (b) Explain three possible risks to these construction workers. [6 marks] AO1 3 marks AO2 3 marks	 Risk of not being able to complete their task (1), which may result in losing their jobs (1) Risk of getting sacked (1) Risk of redundancy (1) Risk of physical injury (1) Risk of mental illness 91) Risk of discrimination (1) Risk of harassment (1) Do not award hazards.
QWC assessed here Discuss the case for and against WB plc launching 'half baked' onto the market. [15 marks] Levels AO1 3 marks AO2 3 marks AO3 4 marks AO4 5 marks	Use of response criteria. Level 1: candidate identifies issue(s) relating to product launches no context required (1-3 marks). Level 2: candidate applies knowledge and understanding of issues related to the product launch of half baked (4-6 marks). Level 3: candidate analyses likely implications of issues arising from the launch of half baked (7-10 marks). Level 4: candidate recommends and justifies the case for (and against) the product launch of half baked (11-15 marks). Issues include: Capacity Demand Motivation Training Opportunity cost
	Financial issues (cost, revenues and profit) Quality Productivity Reputation Customer reaction Shareholder reaction

Question	Expected Answer
	Reaction of financial institutions
	Product development
	Diversification
	Strategic tools (eg Ansoff's)
	Eg Launching a new product can be a risky business (L1). Half Baked, being aimed at the confectionery end of the market, could be classified as a diversification for WB (L2). Given that it is based upon an existing idea, there would be a degree of brand recognition and hence this may lower the risk for WB (L3). However it is mentioned that in order to produce the new product there is no existing capacity for a new production line and hence a new factory would need to built, which will prove costly in the short term (L3). Moreover it is not certain that entry into a new market would be successful. In which case WB would need to undertake some in-depth research and also advertise as well (L3). Overall they should launch Half Baked as this would not compete against their existing product range. Moreover if successful, would set to strengthen their brand image and sales (L4).
	Eg Ansoff identifies that launching a new product on the market is a strategic risk that can be measured in terms of how different the product and the market are from the businesses usual operation (L1). Ansoff would consider half baked to be 'product development' and as such is a moderate risk due to the fact that the brand is already established within this market (L2). Success in this new product line will bring extra revenue to the company as customers will by this product as well as, rather than instead of, one of their existing products (L3). This may be crucial in achieving entry into the snack market strengthening the overall brand image of WB and therefore WB should proceed with launch of this product. (L4).
4 (a)	Strike action/picketing/walkout (1) involves workers informing management they are withdrawing labour (1)
Outline three types of industrial	Work-to-rule/withdrawal of goodwill (1)
action.	• Go-slows (1)
	Overtime ban (1).
[6 marks]	Sit-ins/work-ins (1)
AO1 3 marks	Lock-out (1)
AO2 3 marks	Blacking (1) involves workers choosing which tasks/responsibilities they will complete (1)

Question	Expected Answer
4 (b) Explain two factors which may affect the success of any industrial action carried out by the workers at WB plc. [6 marks] AO1 2 marks AO2 4 marks	 Tactics employed by management or trade unions may be ineffective (1). For example a strike may be of little use if few workers choose to strike (1). This may be because they do not believe the action is best used (1) or this may not represent their priorities on workers' rights (1). Nature and strength of a trade union/trade union representative (1). Strength of evidence to support a claim (1). Legislation and economic climate (1). Support for the action (1) due to economic factors (1). Employer/employee reaction (1) timing issues/seasonal (1). Length of action (1)
4(c) Discuss the case for and against WB making redundancies due to an increase in capacity not being matched by an increase in demand. [15 marks] AO1 3 marks	Use of response criteria. Level 1: candidate identifies issue(s) relating to redundancies no context required [1-3 marks]. Level 2: candidate applies knowledge and understanding of the issue of redundancy at WB [4-6 marks]. Level 3: candidate analyses the likely implications of the employers making employees redundant at WB plc [7-10 marks]. Level 4: candidate recommends and justifies the case for and against WB making redundancies in the light of the increased capacity not being matched by an increase in demand [11-15 marks].
AO2 3 marks AO3 4 marks AO4 5 marks	Issues include: Motivation Industrial action Training Opportunity cost Financial issues (cost, revenues and profit) Wastage Quality Productivity Reputation Customer reaction

Question	Expected Answer
	Demand issues
	Eg Redundancy is when a business no longer requires its surplus staff (L1) and therefore pays them to leave (L1). In this case, WB has only just launched half baked and so they can expect slow sales to begin with causing the excess capacity (L2). Therefore if WB were to make their under-utilised workers redundant, it would reduce the business' staffing costs (L3). However if the product was supported with a good advertising campaign, staff may be needed in the future, hence leaving WB with a shortfall in labour (L3). Overall WB should allow the product to be established before making a decision on whether to make some of their staff redundant, as they may need these staff in the future (L4).

Grade Thresholds

Applied GCE (Applied Business) (H026/H226/H426/H626) January 2009 Examination Series

Coursework Unit Threshold Marks

U	nit	Maximum Mark	Α	В	С	D	E	U
F240	Raw	50	43	38	33	28	23	0
	UMS	100	80	70	60	50	40	0
F241	Raw	50	43	38	33	28	23	0
	UMS	100	80	70	60	50	40	0
F244	Raw	50	43	38	33	28	23	0
	UMS	100	80	70	60	50	40	0
F245	Raw	50	43	38	33	28	23	0
	UMS	100	80	70	60	50	40	0
F246	Raw	50	43	38	33	28	23	0
	UMS	100	80	70	60	50	40	0
F247	Raw	50	43	38	33	28	23	0
	UMS	100	80	70	60	50	40	0
F249	Raw	50	43	38	33	28	24	0
	UMS	100	80	70	60	50	40	0
F250	Raw	50	43	38	33	28	24	0
	UMS	100	80	70	60	50	40	0
F251	Raw	50	43	38	33	28	24	0
	UMS	100	80	70	60	50	40	0
F252	Raw	50	43	38	33	28	24	0
	UMS	100	80	70	60	50	40	0
F253	Raw	50	43	38	33	28	24	0
	UMS	100	80	70	60	50	40	0
F254	Raw	50	43	38	33	28	24	0
	UMS	100	80	70	60	50	40	0
F255	Raw	50	43	38	33	28	24	0
	UMS	100	80	70	60	50	40	0

Examined Unit Threshold Marks

U	nit	Maximum Mark	Α	В	С	D	E	U
F242	Raw	100	83	74	66	58	50	0
	UMS	100	80	70	60	50	40	0
F243	Raw	100	82	74	67	60	53	0
	UMS	100	80	70	60	50	40	0
F248	Raw	100	78	70	62	55	48	0
	UMS	100	80	70	60	50	40	0
F256	Raw	100	74	67	60	53	47	0
	UMS	100	80	70	60	50	40	0
F257	Raw	100	79	73	68	63	58	0
	UMS	100	80	70	60	50	40	0

Specification Aggregation Results

Uniform marks correspond to overall grades as follows.

Advanced Subsidiary GCE (H026)

Overall Grade	Α	В	С	D	E
UMS (max 300)	240	210	180	150	120

Advanced Subsidiary GCE (Double Award) (H226)

Overall Grade	AA	AB	BB	ВС	CC	CD	DD	DE	EE
UMS (max 600)	480	450	420	390	360	330	300	270	240

Advanced GCE (H426)

Overall Grade	Α	В	С	D	E
UMS (max 600)	480	420	360	300	240

Advanced GCE (Double Award) (H626)

Overall Grade	AA	AB	BB	ВС	CC	CD	DD	DE	EE
UMS (max 1200)	960	900	840	780	720	660	600	540	480

Cumulative Percentage in Grade

Advanced Subsidiary GCE (H026)

Α	В	С	D	E	U
3.30	20.33	43.96	74.73	92.31	100
There were 18	37 candidates a	ggregating in J	anuary 2009		

Advanced Subsidiary GCE (Double Award) (H226)

AA	١.	AB	BB	ВС	CC	CD	DD	DE	E	U
2.6	3	13.16	26.32	36.84	52.63	60.53	68.42	78.95	92.11	100
Ther	e we	ere 41 can	didates aç	ggregating	in Januai	ry 2009				

Advanced GCE (H426)

Α	В	С	D	E	U
9.09	9.09	36.36	63.64	100	100
There were 15	5 candidates ag	gregating in Ja	nuary 2009		

Advanced GCE (Double Award) (H626)

AA	AB	BB	ВС	CC	CD	DD	DE	EE	U
0	0	16.67	50	50	100	100	100	100	100
There were 6 candidates aggregating in January 2009									

For a description of how UMS marks are calculated see: http://www.ocr.org.uk/learners/ums_results.html

Statistics are correct at the time of publication.

OCR (Oxford Cambridge and RSA Examinations) 1 Hills Road Cambridge **CB1 2EU**

OCR Customer Contact Centre

14 – 19 Qualifications (General)

Telephone: 01223 553998 Facsimile: 01223 552627

Email: general.qualifications@ocr.org.uk

www.ocr.org.uk

For staff training purposes and as part of our quality assurance programme your call may be recorded or monitored

Oxford Cambridge and RSA Examinations is a Company Limited by Guarantee Registered in England Registered Office; 1 Hills Road, Cambridge, CB1 2EU Registered Company Number: 3484466 **OCR** is an exempt Charity

OCR (Oxford Cambridge and RSA Examinations)

Head office

Telephone: 01223 552552 Facsimile: 01223 552553

