

# **Critical Thinking**

Advanced GCE **F503**

Unit 3: Ethical Reasoning and Decision-Making

## **Mark Scheme for June 2010**

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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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**Preamble**

The Unit 3 paper sets out to assess candidates' critical thinking skills in the context of decision-making. To be successful, in general terms candidates need to be able to demonstrate the ability to handle key terms and concepts such as choice, criteria and dilemma and to come to judgments in the context of situations determined by a set of resources.

**Assessment by Specification**

<b>Candidates should be able to....</b>		<b>Qn 1</b>	<b>Qn 2</b>	<b>Qn 3</b>	<b>Qn 4</b>
<b>3.3.1</b>	Evaluate a range of source material and select appropriate ideas, comments and information to support their reasoning and analysis of complex moral and ethical problems.	✓			✓
	Identify and evaluate conflicting ideas and arguments within a range of source material.				✓
	Explain how ideas and arguments presented in the source material may be influenced by a range of factors.	✓			✓
	In addition to those common patterns of reasoning developed in Units 1 and 2, identify, analyse and apply hypothetical reasoning.			✓	✓
	Demonstrate understanding of the idea that there may be a range of different possible responses to complex moral and ethical problems, and that there may be many different criteria that can be applied in assessing the value and effectiveness of different solutions to complex moral and ethical problems.		✓	✓	
<b>3.3.2</b>	Demonstrate understanding of the nature of a dilemma.				
	In response to real issues, construct their own arguments.				✓

**Assessment Objectives [AOs] and Allocation of Marks**

The total mark for the paper is 60, allocated as follows:

- AO1 **Analyse** argument 15 marks
- AO2 **Evaluate** argument 19 marks
- AO3 **Develop** own arguments 26 marks

This weighting is reflected in the different types of questions asked and in the application of the mark scheme.

Question	AO1	AO2	AO3	Total
<b>1</b>	3	3		<b>6</b>
<b>2</b>	3	3		<b>6</b>
<b>3</b>	4	4	4	<b>12</b>
<b>4</b>	5	9	22	<b>36</b>
<b>Total</b>	<b>15</b>	<b>19</b>	<b>26</b>	<b>60</b>

**Guidelines for Annotating Scripts**

All markers will be required to use the following conventions. No annotation will be used except what is agreed at the Standardisation meeting.

- 1 two numbers between 0 and 3  
total for question 1 ringed and transferred.
- 2 three numbers between 0 and 2  
total for question 2 ringed and transferred.
- 3 number between 0 and 8  
number between 0 and 4  
total for question 3 ringed and transferred.
- 4 number between 0 and 12  
three numbers between 0 and 8  
total for question 4 ringed and transferred.

The following annotations may be used:

- pp Partial performance (question 1)
- D Relevant use of Document
- ED Evaluation of Document
- C Criterion (question 3)
- EC Evaluation of criterion (question 3)
- P Use of principle (question 4)
- EP Evaluation of principle (question 4)
- R Resolution of issue (question 4)
- ALT Alternative Policy (question 4)
  
- IC Intermediate conclusion
- HA Hypothetical argument
- CA Counter-argument
- RCA Response to counter-argument
- An Analogy
- Ex Example
- Ev Evidence

**Question 1**Read paragraphs 3 and 4 of Document 1.

- a) Suggest and briefly explain one problem in using FOREST's claims in paragraph 3 of Document 1 as evidence to oppose the ban on foster carers smoking. [3]
- b) Suggest and briefly explain one problem in using the evidence in paragraph 4 of Document 1 to support the ban on foster carers smoking. [3]

For part (a) and part (b):

2 marks Clear explanation.

1 mark Vague explanation.

Plus

1 mark For relevant reference to the documents.

0 marks No correct content.

1 mark for partial performance: trivial point or counter-argument

Indicative Content**(a)**

Examples of 3-mark answers:

- FOREST has a vested interest to oppose the proposed policy, because its purpose is "to champion the rights of smokers", so it cannot be expected to present a fair or balanced view.
- The last sentence of the paragraph is a straw person (credit slippery slope argument), which ignores the important difference between selecting people to become foster parents and interfering in natural reproduction and parenthood.
- FOREST tries to influence readers by means of emotive language, such as "demonise", "separate" and "insidious" rather than by rational argument.
- FOREST's description of some smokers as potentially "excellent foster carers" begs the question, because their opponents would deny that smokers could be excellent foster carers.

Example of 2-mark answer:

- FOREST has a vested interest to oppose the proposed policy, because its purpose is "to champion the rights of smokers".

Example of 1-mark answer:

- There is a difference between selecting people to become foster parents and interfering in natural reproduction and parenthood.

**(b)**

Examples of 3-mark answers:

- Depending on their age, children may not be capable of thinking the issue through sufficiently to form a valid opinion, which seriously limits the usefulness of this survey (or these surveys).
- If the second sentence is intended to be understood as the evidence for the first sentence, the question asked is not the same and does not justify the summary in the first sentence.
- The sample surveyed in the second sentence (a total of 17 children) is too small to provide reliable information about opinion.

Example of 2-mark answer:

- The sample surveyed is too small to provide reliable information about opinion.

Examples of 1-mark answers:

- The sample surveyed is too small.
- The questions are different.

**Question 2**

**Redbridge Council has voted to prevent children being placed with foster carers who smoke. Suggest three alternative choices that councils might make about potential foster carers who smoke.** [6]

For each of three answers:

- 2 marks Clear statement of possible decision.
- 1 mark Vague statement of possible decision.
- 0 marks No relevant content.

**Indicative content**

Examples of 2-mark answers:

- Include smoking as one factor – but not a decisive factor – in assessing the overall suitability of potential foster carers.
- Prevent smokers from fostering children under the age of 5 but not extend it to older children.
- Offer or impose on foster carers education about the dangers of smoking and support if they wish to give up.
- Offer foster carers financial incentives to give up smoking.
- Allow foster carers to smoke outdoors only.
- Allow people to foster without restriction even if they smoke.
- Ask potential foster carers to sign an agreement to limit their smoking.

Examples of 1-mark answers:

- Restrict the smoking of foster carers.
- Ensure that foster carers smoke away from children.
- Let children choose whether to be in the foster care of smokers.

**Question 3**

Evaluate one choice that councils might make about potential foster carers who smoke. You may use the choice made by Redbridge Council or any of the choices you suggested in your answer to question 2. In your evaluation you should use three criteria (such as child welfare). [12]

Award a mark for Application and evaluation of selected criteria to choice and a mark for Quality of argument according to the following table and add the marks together.

Level	Application and evaluation of selected criteria to choice AO1 4 AO2 4		Quality of argument AO3 4	
<b>Level 4</b>	7-8	<ul style="list-style-type: none"> <li>• Sound and perceptive application of 3 criteria to a clearly defined choice.</li> <li>• Firm understanding of how criteria might support <b>and</b> weaken the case for the selected choice <b>and/or</b> some evaluation of criteria.</li> </ul>	4	<ul style="list-style-type: none"> <li>• Cogent and convincing reasoning, very well structured to express/evaluate complex ideas/materials.</li> <li>• Consistent use of intermediate conclusions.</li> <li>• Few, if any, errors of spelling, grammar, punctuation.</li> </ul>
<b>Level 3</b>	5-6	<ul style="list-style-type: none"> <li>• Clear understanding of how 3 criteria might support <b>and/or</b> weaken the case for a clearly-defined choice</li> <li>• <b>or</b> clear understanding of how 2 criteria might support <b>and</b> weaken the case for a clearly-defined choice <b>and/or</b> some evaluation of criteria.</li> </ul>	3	<ul style="list-style-type: none"> <li>• Effective and persuasive reasoning.</li> <li>• Some clarity in expression of complex ideas.</li> <li>• Appropriate use of intermediate conclusions.</li> <li>• Relatively few errors of spelling, grammar, punctuation.</li> </ul>
<b>Level 2</b>	3-4	<ul style="list-style-type: none"> <li>• Basic understanding of how 2 criteria might support <b>and/or</b> weaken support for a choice</li> <li>• <b>or</b> clear understanding how 1 criterion might support <b>and</b> weaken the case for a choice.</li> </ul>	2	<ul style="list-style-type: none"> <li>• Basic presentation of reasoning, including relevant points and conclusion(s).</li> <li>• Written communication fit for purpose, but containing significant errors of spelling, grammar, punctuation.</li> </ul>
<b>Level 1</b>	1-2	<ul style="list-style-type: none"> <li>• At least one criterion applied to a choice or to the issue in a limited/simplistic manner.</li> </ul>	1	<ul style="list-style-type: none"> <li>• Reasoning is sketchy and unstructured.</li> <li>• Communication may lack coherence and contain significant errors in spelling, punctuation and grammar.</li> </ul>
<b>Level 0</b>	0	<ul style="list-style-type: none"> <li>• No application of criteria to issue.</li> </ul>	0	<ul style="list-style-type: none"> <li>• No discernible reasoning.</li> </ul>

Quality of Argument

Typical indicators of Level 3 are:

- use of intermediate conclusions
- use of hypothetical reasoning.

Consistent and well-supported use of intermediate conclusions and/or hypothetical reasoning is an indicator of Level 4.

In addition to the indicators of Level 3, typical indicators of Level 4 are some of:

- use of relevant counter-argument with persuasive response
- use of relevant analogy
- use of relevant examples or evidence.

Indicative content

Suitable criteria which might be used to assess a choice include:

- Child welfare
- Freedom of choice
- Ease of implementation
- Ease of enforcement
- Cost.

Other valid choices and criteria should be credited. Public opinion is a valid criterion, but in the absence of persuasive evidence judgments are likely to be speculative.

*Include smoking as one factor in assessing the overall suitability of potential foster parents.*

This is probably the best choice from the perspective of child welfare, because it provides homes for those children who need them (bearing in mind the current shortage of suitable homes, according to Doc 2) and takes into account a number of factors affecting welfare when choosing such homes, including whether the prospective foster parents smoke or not. Although this option is biased against smoking, it to some extent preserves adults' freedom of choice. This seems a practical choice, making use as it does of existing procedures for vetting prospective foster parents. Both the direct and indirect costs of this policy are minimal.

*Prevent smokers from fostering children under the age of 5 but not extend it to older children.*

[This is the current policy, but none of the documents says so.] This satisfies the criterion of child welfare by protecting young children from the indirect harm caused by cigarette smoking, but by emphasizing this aspect of child welfare more than others it may cause some children to be put into homes which in other respects are less good, or to go into institutions because of the shortage of foster homes (according to Doc 2). If most children over the age of five who are in care have been fostered since they were very young, then the issue of whether to extend the ban to over-fives or not will not have much effect, and it will exclude some people who would have made good foster parents. This policy would not have much direct cost, but the cost of caring for children in need may be increased if certain potential foster homes are rejected.

*Offer or impose on foster parents education about the dangers of smoking and support if they wish to give up.*

This benefits child welfare in two ways: by not excluding families which would offer children a loving home, and by helping some foster parents to give up smoking. This choice preserves the freedom of choice of foster parents, although it may restrict it to a small extent if the education is imposed rather than offered. This is a practical choice, which can probably to some extent be achieved through existing programmes. Some cost is involved in providing the education and support, but the provision may pay for itself by making some homes available for fostering which would otherwise have been excluded.

*Offer foster parents financial incentives to give up smoking.*

This choice, too, benefits child welfare in two ways: by not excluding families which would offer children a loving home, and by encouraging some foster parents to give up smoking. Although this policy would seek to affect people's behaviour, they would still be free to choose whether to accept the offer or not: so it does not entirely remove their freedom of choice; however, some people may feel that they could not afford to reject the offer. Although it would be relatively easy to set up a scheme of this kind, it would be difficult to police it, to ensure that no one claimed the reward while continuing to smoke. This may be the most expensive of the choices identified here, although not necessarily if it made some homes available for fostering which would otherwise have been excluded.

**Question 4**

36 marks [AO1=5; AO2 = 9; AO3 = 22]

Write an argument supporting any **one** choice which a local council might make about potential foster carers who smoke. In your argument you should use some relevant principles and explain why you have rejected at least one possible alternative. Support your argument by referring critically to the resource documents.

Mark by levels, according to the following table. Answers which satisfy at least one of the descriptors for a level will normally be awarded a mark within that level. Answers which fulfil all three descriptors of a level will receive a mark at or near the top of that mark-band, while answers which satisfy only one or two of the descriptors will receive a correspondingly lower mark within that mark-band.

**Principles**

General principles have implications that go beyond the case in point. Different kinds of principle a candidate can refer to might include legal rules, business or working practices, human rights, racial equality, gender equality, liberty, moral guidelines.

Candidates are likely to respond to the issue by explaining and applying relevant ethical theories. This is an appropriate approach, provided the result is not merely a list or even exposition of ethical theories with little or no real application to the problem in hand. Candidates who deploy a more specific knowledge of ethical theories will be credited only for **applying** identified principles to the issue in order to produce a reasoned argument that attempts to resolve it. Candidates are **not** required to identify standard authorities such as Bentham or Kant, or even necessarily to use terms such as Utilitarianism etc, although they may find it convenient to do so; the word “however” is likely to deserve more marks than the word “deontological”.

**Quality of Argument**

Typical indicators of Level 3 are:

- use of intermediate conclusions
- use of hypothetical reasoning.

Consistent and well-supported use of intermediate conclusions and/or hypothetical reasoning is an indicator of Level 4.

In addition to the indicators of Level 3, typical indicators of Level 4 are some of:

- use of relevant counter-argument with persuasive response
- use of relevant analogy
- use of relevant examples or evidence.

Level	Mark	Identification and application of relevant principles AO2 2 AO3 10	Mark	Resolution of issue AO2 4 AO3 4	Use and critical assessment of resource documents AO1 5 AO2 3	Quality of argument AO3 8
<b>Level 4</b>	10-12	<ul style="list-style-type: none"> <li>• Skilful and cogent treatment and application of at least 3 principles or at least 2 major ethical theories.</li> <li>• Clear and purposeful exposition of how the principles might be more or less useful in resolving the issue.</li> </ul>	7-8	<ul style="list-style-type: none"> <li>• Confidently-expressed resolution of the stated issue on the basis of a persuasive account of the arguments in favour of more than one side.</li> <li>• Perhaps an awareness that the resolution is partial/provisional.</li> <li>• Clear and valid judgments made in coming to an attempted resolution.</li> </ul>	<ul style="list-style-type: none"> <li>• Perceptive, relevant and accurate use of resource material.</li> <li>• Sustained and confident evaluation of resource material.</li> </ul>	<ul style="list-style-type: none"> <li>• Cogent and convincing reasoning.</li> <li>• Well-developed suppositional reasoning.</li> <li>• Communication very well suited to handling complex ideas.</li> <li>• Consistent use of intermediate conclusions.</li> <li>• Meaning clear throughout.</li> <li>• Frequent very effective use of appropriate terminology.</li> <li>• Few errors, if any, in spelling, grammar and punctuation.</li> </ul>
<b>Level 3</b>	7- 9	<ul style="list-style-type: none"> <li>• At least 2 relevant principles or theories accurately identified, explained and applied.</li> <li>• Clear exposition of how the principles might be more or less useful in resolving the issue.</li> </ul>	5-6	<ul style="list-style-type: none"> <li>• Generally confident and developed treatment of the stated issue.</li> <li>• Some awareness of the arguments in favour of more than one side of the issue.</li> <li>• Clear attempt to resolve the issue.</li> </ul>	<ul style="list-style-type: none"> <li>• Relevant and accurate use of resource material.</li> <li>• Some evaluation of resource material.</li> </ul>	<ul style="list-style-type: none"> <li>• Effective and persuasive reasoning.</li> <li>• Some suppositional reasoning.</li> <li>• Clear and accurate communication.</li> <li>• Appropriate use of intermediate conclusions.</li> <li>• Frequent effective use of appropriate terminology.</li> <li>• Few errors in spelling, grammar and punctuation.</li> </ul>

<b>Level 2</b>	4-6,	<ul style="list-style-type: none"> <li>At least 2 relevant principles identified or a well-developed discussion of 1 principle.</li> <li>Basic application of principles to the issue.</li> </ul>	3-4	<ul style="list-style-type: none"> <li>Basic discussion of the issue.</li> </ul>	<ul style="list-style-type: none"> <li>Relevant and accurate use of resource material.</li> </ul>	<ul style="list-style-type: none"> <li>Limited ability to combine different points of view in reasoning.</li> <li>Perhaps some suppositional reasoning.</li> <li>Some effective communication.</li> <li>Some use of appropriate terminology.</li> <li>Fair standard of spelling, grammar, punctuation, but may include errors.</li> </ul>
<b>Level 1</b>	1-3	<ul style="list-style-type: none"> <li>Some attempt to identify at least one principle and to apply it to the issue.</li> </ul>	1-2	<ul style="list-style-type: none"> <li>Limited discussion of the issue.</li> </ul>	<ul style="list-style-type: none"> <li>Very limited, perhaps implicit, use of resource material.</li> </ul>	<ul style="list-style-type: none"> <li>Limited ability to produce coherent reasoning.</li> <li>May contain significant errors in spelling, punctuation and grammar.</li> </ul>
<b>Level 0</b>	0	<ul style="list-style-type: none"> <li>No use of principles</li> </ul>	0	<ul style="list-style-type: none"> <li>No discussion of the issue</li> </ul>	<ul style="list-style-type: none"> <li>No use of resource material.</li> </ul>	<ul style="list-style-type: none"> <li>No discussion of the issue.</li> </ul>

Maximum Level 1 for Identification and Application of Relevant Principles for anyone who re-cycles criteria from question 3 as principles.

To achieve Level 3 or higher for Resolution of Issue, it is necessary to consider at least one alternative policy and/or to attempt a resolution.

Maximum Level 2 for Use and Critical Assessment of Resource Documents for anyone who uses the documents uncritically.

Indicative Content

Credit must be given to any argument based on a principle in the sense outlined in the preceding note. Principles of that kind might include:

- The need of children for loving care.
- Smoking may be regarded as intrinsically undesirable.
- The duty of a local council (on behalf of the community) to protect vulnerable people.

The best answers are likely to appeal to two or three of the following ethical principles and theories, which are susceptible of fuller development.

Probably the most likely principle to which appeal may be made is the Utilitarian slogan, “[we should aim to produce] the greatest good of the greatest number”. The main judgment to be made in this case is whether the provision of a loving family life for needy children outweighs or is outweighed by the harm done to them by passive smoking. A rigidly restrictive policy is unlikely to produce the greatest good. Less central consequences include the distress caused to potential foster parents who are rejected because they smoke.

This issue can also be expressed as a conflict of rights. Candidates may set the rights of children to a loving home against their right to safety and health (all derived from the right to life). The choice whether to smoke or not may be identified as an aspect of the right to autonomy.

Candidates who approach the issue from the perspective of duty may appeal to Kant’s Categorical Imperative. The first version, “Act according to that maxim which you can will to be a universal law” could be used in favour of restrictions, on the basis that it would be good if no one smoked. The second version, that we should always treat persons as ends, and not as means only, could be used to argue either that foster parents should be concerned for the welfare of the children rather than for the money they can earn by caring for them or that councils should respect the values and life-goals of foster parents, rather than regarding them simply as a resource for the care of children in need. Kant’s concept of autonomy might imply that foster parents should not smoke, but councils should not try to stop them.

Any candidate who referred to W D Ross’s theory of *prima facie* duties could legitimately claim that foster parents have a duty of non-maleficence towards the children in their care and that this implies they should not smoke. The duty of justice may imply that councils should not discriminate against smokers.

The content of any appeal to Divine Command ethics would vary according to which religion such commands were drawn from, but principles taken from the Christian tradition which could legitimately be applied to this subject include:

- the duty to care for children
- the duty to look after one’s own body

Behind the Rawlsian Veil of Ignorance, one might be a child in need, a potential foster parent who smoked, or one who refrained from smoking. The need of a child for a loving home would probably outweigh all other considerations and implies that a rigidly restrictive policy should be rejected.

The Principle of Liberty can be used to support restrictions, since personal freedom is properly restricted to avoid harm to others.

Indicative content on evaluation of resources

## Document 1

The Daily Telegraph has a good reputation as a quality newspaper, with some bias towards conservative and Conservative views (which are not apparent in this story). Both sides of the case are presented in this report, although some other papers might not have given quite such a full account of the views of the opposition. Some of the organizations quoted in the report have vested interests to present only one side of the debate. Expert testimony is used.

## Document 2

The Times has a good reputation as a quality newspaper. Because this is a "Comment" article rather than a news report, it is not expected to be neutral, and it isn't; however, there is no indication that the author has a vested interest to take the position she does. The author gives the impression of having expertise, although there is no independent verification of the data she gives.

## Documents 3 and 4

The title of the organization hosting this website implies that it has a worthy aim and that the information it provides is reliable, although its motives may be mixed since the ".com" suffix may imply that it is commercial (profit-making) rather than having a "gov.uk" address. The information provided is explicitly one-sided.

Specimen Level 4 answer (768 words)

I am going to defend the choice of including smoking as one factor, but not a decisive factor, in assessing the overall suitability of potential foster carers, in preference to either of the extreme alternatives, of prohibiting smokers from fostering or allowing them to do so without restriction. The fact that the Fostering Network (Doc 1) supports this choice strengthens it, since that organization has excellent expertise and access to information about fostering, and does not have a vested interest apart from doing its best for children in need. This option is also consistent with the approach taken by the author of Doc 2, who accepts that some people are more suited to parenthood than others, but objects to smoking being regarded as more important than other practices or qualities. Because the author of Doc 2 is not named, and the article appears to have been written in order to provoke discussion, it carries no authority apart from its content, but many readers are likely to sympathise with its point of view.

One way of approaching this issue is from the perspective of human rights. An aspect of the carers' right of autonomy is the right to decide for themselves whether to smoke or not. This is based on the right to liberty, which is widely recognized (eg by the United Nations) as a fundamental human right. This right potentially comes into conflict with the children's right to health and safety, which is derived from the fundamental right to life. Doc 3 claims that the health and safety of children who live with smokers are seriously imperilled, and the title of the source suggests that this advice is given from a position of expertise, although the website may also have a vested interest to overstate the problem in order to support its mission of encouraging people to stop smoking. The right to autonomy would support allowing smokers to foster, while the right to health and safety implies that they should not be allowed to do so. Since both of these rights are important aspects of the good life, it is better to look for a compromise, such as including smoking as one factor when choosing foster carers, rather than going for either extreme.

It is widely accepted that non-maleficence is the most fundamental and widely-extended duty of all. That is, it is more important not to harm others than to do them good. This principle could be used to support any restrictive policy, but especially the one I am supporting, since it takes into account a range of factors which might cause harm to vulnerable children.

Rawls's Veil of Ignorance is a fruitful approach to this issue. Hypothetically, one might be a prospective carer who does or does not smoke, or a child requiring foster care. Under those circumstances, the most rational choice would probably be to allow anyone suitable to act as a foster carer, and to exclude only those people who are seriously unsuitable for the role. So my choice is supported by this approach, too.

Finally, I will consider this issue from the perspective of simple Consequentialism, seeking "the greatest good of the greatest number". Potential foster carers and needy children are by far the most significant people in this scenario: so it is quite reasonable to ignore everyone else who might have a limited interest. Giving homes to children who need them would certainly both do them good and make them happier, but damaging or risking their health (as described in Doc 3) would harm them. Allowing people who want to become foster carers to do so would benefit them and make them happier. The maximum happiness would be achieved by allowing everyone who wants to foster to do so except in the rare cases where the foster home is so unsatisfactory as to cause more harm than good. The fact that parents smoke does cause some harm, but this harm is usually outweighed by the good which comes from offering a home to someone who needs it. Smoking should therefore be taken into consideration alongside other factors when judging people's suitability for becoming foster carers.

I have considered this issue from a range of different perspectives, including rights, duties and consequences. All have led to the same conclusion, namely that simply preventing smokers from fostering children or simply allowing them to do so without any restriction would be equally unsatisfactory. The best policy from all these points of view is to take smoking into account as one factor amongst others when assessing the suitability of a family to care for children in need.

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