
Engineering Firm Penalised After Tragic Death of Worker

Description

An engineering and services firm has been fined after a worker tragically lost his life on a construction site.

The incident occurred on 18 January 2023. Alistair Hutton, a 51-year-old subcontractor from Forfar, was working on the construction of the Baird Family Hospital in Aberdeen. While operating a mobile elevating work platform (MEWP) along an unfinished corridor, his head collided with a metal lintel. The impact was severe. He lost consciousness immediately and was pronounced dead less than an hour later.

NG Bailey Limited, the lead contractor on the project, had hired Mr Hutton. An investigation by the Health and Safety Executive (HSE) revealed serious oversights in safety planning. NG Bailey had failed to account for the risks posed by overhead obstructions—specifically, hazards encountered when navigating MEWPs through the site. This oversight occurred despite clear guidance from the HSE and the construction industry, which outlines the importance of identifying and mitigating such risks.

The HSE's investigation uncovered a gap in the firm's safety protocols. Despite well-documented risks associated with MEWP use, NG Bailey did not implement adequate measures to protect workers from potential harm. The company's risk assessments lacked the depth needed to address overhead hazards, leaving workers exposed to significant dangers. Tragedy, as a result, was not avoided.

According to HSE guidelines, those responsible for selecting, specifying, and managing MEWPs on site must have a clear understanding of the risks involved. Proper planning and execution are key to preventing accidents. There are various precautions and control measures available that can help eliminate or reduce these risks. The HSE guidance on this can be found on their website: *Construction – Mobile Elevating Work Platforms: Health & Safety* ([hse.gov.uk](https://www.hse.gov.uk)).

At Aberdeen Sheriff Court, NG Bailey Limited of Brown Lane West, Leeds, admitted to breaching Sections 3(1) and 33(1)(a) of the Health and Safety at Work etc. Act 1974. The company was fined £135,000. In addition, they were ordered to pay a victim surcharge of £10,125.

HSE Inspector Graham McEvoy commented on the case, saying: "NG Bailey Limited failed to consider available guidance and the specific nature of the work being carried out. This led to inadequate risk control measures and unsafe working practices. Unfortunately, this had fatal consequences."

He added: "The HSE will not hesitate to take enforcement action against companies that fall below required safety standards. Our thoughts remain with Mr Hutton's family and friends during this difficult time."

This case serves as a sobering reminder of the importance of stringent safety measures on construction sites. The use of MEWPs requires careful planning and the constant reassessment of potential risks. Overhead obstructions are a well-known hazard, and yet, even in 2023, companies are still failing to take the necessary precautions. The human cost of these oversights is devastating. Lives are lost, families shattered, and companies face legal and financial repercussions.

The fine levied against NG Bailey Limited may bring some form of justice, but it cannot bring Mr Hutton back. This tragedy highlights the need for continuous improvement in health and safety practices, particularly in industries where machinery, height, and human error often converge in lethal ways. Safety must always come first.

CATEGORY

1. Aberdeen

POST TAG

1. Alistair Hutton
2. Graham McEnvoy
3. Health and Safety Executive (HSE)
4. MEWP
5. NG Bailey
6. Workplace Fatality

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