

Nursing and Midwifery Council

Agreed Removal Decision

Registrant: Benjamin McNulty

PIN: 17C0170E

Part(s) of the register: Registered Nurse - Mental Health Nursing

Relevant Location: Merseyside

On 26 July 2019 we received a referral raising a concern about Benjamin McNulty's fitness to practise. It's alleged that Benjamin McNulty:

- breached professional boundaries with patients and acted in a way that was sexually motivated by:
 - sending inappropriate messages
 - kissing and inappropriately touching a patient on one or more occasions
 - meeting a patient outside of working hours at her home and his home on numerous occasions
 - sending a patient gifts
 - inappropriately suggesting they should be discharged when it was not clinically justified
 - sharing personal information about himself with the patient.
- breached professional boundaries with female colleagues by massaging colleagues' shoulders, inviting them out and sending inappropriate pictures via social media
- poor record keeping in that he failed to complete care plans and progress records accurately or at all
- referred patients for GP reviews when it was not clinically appropriate or justified
- inappropriately placed a patient on indefinite medical hold without justification
- instructed colleagues to inappropriately restrain a patient so that he could administer an injection
- worked outside his scope of practice by telling prescribers which medication needed to be prescribed for patients, diagnosing conditions and recommending treatment plans
- breached the duty of candour by failing to inform a patient that he had administered an incorrect dose of medication.

Benjamin McNulty doesn't accept all the concerns raised about his practice but has apologised for the impact of his actions. He does accept that his fitness to practise is impaired.

We investigated the issue and the matter was referred to the Fitness to Practise Committee. No allegation against Benjamin McNulty has yet been found substantively proved by one of our statutory committees.

On 30 May 2025 we received an application from Benjamin McNulty for agreed removal from the NMC Register.

ASSISTANT REGISTRAR'S DECISION

As an Assistant Registrar, I have delegated authority to make decisions about agreed removal and have agreed to removal from the NMC register in this case.

In accordance with Rule 14 of the Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004, in considering Benjamin McNulty's application for agreed removal, I've taken into account:

- comments received from the people that made the allegation against Benjamin McNulty
- agreed removal application dated 28 May 2025 and supporting documentation
- report to the case examiners and the accompanying documentation obtained during the NMC investigation
- case examiner decision letter dated 4 September 2023
- the interests of Benjamin McNulty
- the interests of the maker of the allegations
- the public interest.

I'm satisfied that:

- Benjamin McNulty no longer intends to work as a registered nurse
- while the allegations against Benjamin McNulty involve the kind of conduct that's likely to result in a striking-off order, there are good reasons for us to agree to removal from the Register
- that there are other safeguards in place should Benjamin McNulty try to work with vulnerable adults or children in the future
- the public would be protected and the public interest can be met by agreeing the application for removal and enabling Benjamin McNulty to leave the NMC register.

We'll publish a record of this decision for twelve months from the date of the decision, 18 June 2025. In the event that Benjamin McNulty seeks readmission to the register, we may consider the matters that led to this agreed removal further.