

PRIVACY INFORMATION LEAFLET

How we use your information



This leaflet explains:

- Why we collect information about you and how it is used
- Who we may share information with
- Your right to see your health records and how we keep your records confidential

Further detailed information with regard to privacy information is available within our privacy notice which can be found on our [website](#).

What is a Privacy Notice?

A privacy notice is a statement that discloses some or all of the ways in which the organisation gathers, uses, discloses and manages a patient's data. It fulfils a legal requirement to protect a patient's privacy.

Why do we need one?

To ensure compliance with the UK General Data Protection Regulation (UKGDPR), Much Birch Surgery and Taurus Healthcare must ensure that information is provided to patients about how their personal data is processed in a manner which is:

- Concise, transparent, intelligible and easily accessible;
- Written in clear and plain language, particularly if addressed to a child; and
- Free of charge

What is the GDPR

The UK General Data Protection Regulation (UKGDPR) and the Data Protection Act 2018 (DPA 2018) became law on 25 May 2018 and 1 January 2021 when the UK exited the EU. The UKGDPR is a regulation on the protection of confidential and sensitive (special) information, the DPA 2018 deals with elements of UK law that differ from the European Regulation, both came into force in the UK on 25 May 2018, repealing the previous Data Protection Act (1998).

For the purpose of applicable data protection legislation (including but not limited to the UK General Data Protection Regulation (Regulation (EU) 2016/679) (the 'UKGDPR'), and the Data Protection Act 2018, Much Birch Surgery, are responsible for your personal data.

How do we communicate our Privacy Notice?

At Much Birch Surgery, the organisation's Privacy Notice is displayed [on our website](#), and in writing (by means of this leaflet). We will:

- Inform patients how their data will be used and for what purpose
- Allow patients to opt out of sharing their data, should they so wish

Who is the Data Controller?

Much Birch Surgery is registered as a Data Controller under the Data Protection Act 2018. The registration number is **Z6644596** and can be viewed online in the public register at <https://www.ico.gov.uk>. This means we are responsible for collecting,

storing and handling your personal and healthcare information when you are seen by us as a patient.

There may be times when we also process your information. That means we use it for a particular purpose and, therefore, on those occasions we may also be Data Processors. The purposes for which we use your information are set out fully in our Privacy Notice.

Fair Processing

Personal data must be processed in a fair manner – the UK GDPR says that information should be treated as being obtained fairly if it is provided by a person who is legally authorised or required to provide it. Fair Processing means that the organisation has to be clear and open with people about how their information is used.

Much Birch Surgery and Taurus Healthcare manage patient information in accordance with existing laws and with guidance from organisations that govern the provision of healthcare in England such as the Department of Health and the General Medical Council.

NHS health records may be processed electronically, on paper or a mixture of both; and we use a combination of working practices and technology to ensure that your information is kept confidential and secure.

What information do we collect about you?

In the organisation we aim to provide you with the highest quality of health care. To do this we must keep records about you, your health and the care we have provided or plan to provide to you. These records may include:

- Basic details about you, such as address, date of birth, next of kin
- Contact we have had with you such as appointments and consultations
- Notes and reports about your health, details of diagnosis and consultations with our GPs and other Health Professionals within the healthcare environment involved in your direct healthcare
- Details and records about your treatment and care
- Results of investigations such as laboratory tests, x-rays etc
- Relevant information from people who care for you and know you well, such as health professionals and relatives

- Recordings of telephone conversations between yourself and the organisation including clinical consultations and these may be used for training, quality and dispute resolution purposes

It is good practice for people in the NHS who provide care to:

- Discuss and agree with you what they are going to record about you
- Give you a copy of letters they are writing about you, and
- Show you what they have recorded about you, if you ask

We will only store your information in identifiable form for as long as is necessary and in accordance with the NHS England's Rules.

Sharing information about you with others

The organisation collects and holds data for the sole purpose of providing healthcare services to our patients and we will ensure that the information is kept confidential. However, we can disclose personal information if:

- It is required by law
- Where there is a serious risk of harm or abuse to you or other people
- You provide consent – either implicitly or for the sake of your own care, or explicitly for other purposes
- It is justified to be in the public interest

To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public and to help us manage the NHS.

Information may be used for clinical audit purposes to monitor the quality of service provided, and may be held centrally and used for statistical purposes. Where we do this, we ensure that patient records cannot be identified.

A patient can object to their personal information being shared with other health care providers but if this limits the treatment that you can receive then the doctor will explain this to you at the time.

How do we use your information?

The people who care for you use your records to:

- Provide a good basis for all health decisions made by you and care

professionals

- Allow you to work with those providing care
- Make sure your care is safe and effective, and
- Work effectively with others providing you with care

Others may also need to use records about you to:

- Check the quality of care (such as clinical audit)
- Protect the health of the public
- Keep track of NHS spending
- Manage the health service
- Help investigate any concerns or complaints you or your family have about your health care
- Teach health workers, and
- Help with research

Some information will be held centrally to be used for statistical purposes. In these instances, we take strict measures to ensure that individual patients cannot be identified.

We use anonymous information, wherever possible, but on occasions we may use personal confidential information for essential NHS purpose such as research and auditing. However, this information will only be used with **your consent**, unless the law requires us to pass on the information.

Where do we store your information electronically?

All the personal data we process is stored by our staff in the UK however for the purposes of IT hosting and maintenance this information may be located on servers within the European Union.

No third parties have access to your personal data unless the law allows them to do so and appropriate safeguards have been put in place such as a Data Processor as above). We have a Data Protection regime in place to oversee the effective and secure processing of your personal and or special category (sensitive, confidential) data.

Much Birch Surgery and Taurus Healthcare use a clinical system provided by a Data Processor called EMIS. Since June 2019, EMIS has stored the organisation's EMIS Web data in a highly secure, third party cloud hosted environment, namely Amazon Web Services ('AWS').

The data will remain in the UK at all times and will be fully encrypted both in transit and at rest. In doing this, there will be no change to the control of access to your

data and the hosted service provider will not have any access to the decryption keys. AWS is one of the world's largest cloud companies, already supporting numerous public sector clients (including the NHS), and it offers the very highest levels of security and support.

International Transfers of your Personal Data

While providing our services, occasionally we may need to transfer your data to doctors working in countries outside of the jurisdiction in which you reside. These countries may have data protection laws that differ from those in your country of residence. You should be assured that we will take all necessary steps to ensure that your personal data is adequately protected as required by applicable data protection laws.

The transfer of your personal data outside of your country of residence may be necessary for a consultation to take place between you and a Much Birch Surgery clinician. Additionally, your explicit consent may serve as the legal basis for certain data transfers

How long do we keep your personal information?

We are required under UK law to keep your information and data for the full retention periods as specified by the NHS Records management code of practice for health and social care and national archives requirements.

More information on records retention can be found online at [NHSX—Records Management Code of Practice December 2023](#).

Maintaining Confidentiality

Everyone working for the NHS has a legal duty to keep information about you confidential. All of our staff, contractors and locums receive appropriate and regular training to ensure they are aware of their personal responsibilities and have legal and contractual obligations to uphold confidentiality, enforceable through disciplinary procedures. Only a limited number of authorised staff have access to personal information where it is appropriate to their role and is strictly on a need-to-know basis. If a sub-contractor acts as a data processor for Much Birch Surgery or Taurus Healthcare an appropriate contract (Article 24-28) will be established for the processing of your information.

We maintain our duty of confidentiality to you at all times. We will only ever use or pass on information about you if others involved in your care have a genuine need

for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (ie life or death situations), or where the law requires information to be passed on.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (ie life or death situations), where the law requires information to be passed on and/or in accordance with the information sharing principle.

We have a duty to:

- Maintain full and accurate records of the care we provide to you
- Keep records about you confidential, secure and accurate
- Provide information in a format that is accessible to you (eg in large type if you are partially sighted)

We will not share information that identifies you for any reason, unless:

- You ask us to do so
- We ask, and you give us specific permission
- We must do this by law
- We have special permission for health or research purposes, or
- We have special permission because the interests of the public are thought to be of greater importance than your confidentiality

Our guiding principle is that we are holding your records in strict confidence.

Who are our Partner Organisations?

We may pass your personal information on to the following people or organisations, because these organisations may require your information to assist them in the provision of your direct healthcare needs. It, therefore, may be important for them to be able to access your information in order to ensure they may properly deliver their services to you:

- Hospital professionals (such as doctors, consultants, nurses etc)
- Other GPs/doctors
- Specialist Trusts
- NHS Commissioning Support Units
- Primary Care Networks

- Independent contractors such as dentists, opticians, pharmacists
- Any other person that is involved in providing services related to your general healthcare, including mental health professionals
- Private sector providers including pharmaceutical companies to allow for provision of medical equipment, dressings, hosiery etc
- Voluntary sector providers
- Ambulance Trusts
- Integrated Care Boards
- Local Authorities
- Social Care services
- Education services
- NHS England (NHSE) and NHS Digital (NHS D)
- Multi-Agency Safeguarding Hub (MASH)
- Fire and Rescue services
- Police and Judicial services
- Other 'data processors' eg Diabetes UK

Other people who we may provide your information to

- **Anyone you have given your consent** to, to view or receive your record, or part of your record – please note, if you give another person or organisation consent to access your record, we will need to contact you to verify your consent before we release that record. It is important that you are clear and understand how much and what aspects of your record you give consent to be disclosed.
- **Extended Access** – we provide extended access services to our patients which means you can access medical services outside of our normal working hours. In order to provide you with this service, we have formal arrangements in place with the Integrated Care Board (ICB) whereby certain key 'hub' practices offer this service for you as a patient to access outside of our opening hours. This means that Taurus staff working within the 'hub' practices will have to have access to your medical record to be able to offer you the service. Please note to ensure that those staff comply with the law and to protect the use of your information, we have very robust data sharing agreements and other clear arrangements in place to ensure your data is always protected and used for those purposes only.

The key 'hub' practices are Station Medical Centre, Hereford; Ryeland Surgery, Leominster; Ross Community Hospital, Ross on Wye; The Medical Practice, Kington; Ledbury Health Partnership, Ledbury; Nunwell Surgery, Bromyard; Much Birch Surgery, Much Birch; Kingstone Surgery, Kingstone;

Cradley Surgery, Cradley and Weobley Surgery, Weobley.

- **Herefordshire & Worcestershire Shared Care Record** – Patients in Herefordshire are able to benefit from the sharing of information to better manage their care via the Shared Care Record system. This includes sharing: contact details, diagnosis, medications, allergies, test results, referral and letters and care plans between health professionals in Herefordshire.

Being able to see this information will help them give you the best care as quickly as possible without having to make phone calls or wait for other organisations to forward details on. Some of their administrative and secretarial staff will also be able to see information so they can support the professionals. An example would be to send you an appointment letter.

Health information is shared with:

- GP practices in Herefordshire and Worcestershire
- Worcestershire Acute Hospitals NHS Trust
- Wye Valley NHS Trust
- Herefordshire and Worcestershire Health and Care NHS Trust
- West Midlands Ambulance Service University NHS Foundation Trust
- Worcestershire County Council
- Herefordshire Council
- St Richards Hospice
- Primrose Hospice
- Kemp Hospice
- St Michael's Hospice

Further information about the Shared Record can be found by going to the following web page: [Herefordshire & Worcestershire Shared Care Record](#)

- **Data Extraction by the ICB** – the ICB at times extracts medical information about you, but the information we pass to them via our computer systems cannot identify you to them. This information only refers to you by way of a code that only your own practice can identify (it is pseudo-anonymised). This therefore protects you from anyone who may have access to this information at the ICB from ever identifying you as a result of seeing the medical information and we will never give them the information that would enable them to do this.

Anyone who receives information from us also has a legal duty to keep it confidential

Summary Care Records

All patients registered with a GP have a summary care record unless they have chosen not to have one. The information held in your summary care record gives registered and regulated healthcare professionals, away from your usual GP practice, access to information to provide you with safer care, reduce the risk of prescribing errors and improve your patient experience.

Your summary care record contains basic (core) information about allergies and medications and any reactions that you have had to medication in the past.

Some patients, including many with long term health conditions, previously have agreed to have additional information shared as part of their summary care record. This additional information includes information about significant medical history (past and present), reasons for medications, care plan information and immunisations.

The Department of Health and Social Care has removed the requirement for a patient's prior explicit consent to share Additional Information as part of the Summary Care Record. If you have previously expressed a preference to only have Core information shared in your Summary Care Record, or to opt-out completely from having a Summary Care Record, these preferences will continue to be respected and this change will not apply to you. For everyone else, the Summary Care Record will be updated to include the Additional Information.

You have a right to opt out of having a Summary Care Record, and you also have the opportunity to opt-back in to having a Summary Care Record or opt back in to allow sharing of Additional Information.

You can exercise these rights by doing the following:

1. **Choose to have a Summary Care Record with all information shared.** This means that any authorised, registered and regulated health and care professionals will be able to see a detailed Summary Care Record, including Core and Additional Information, if they need to provide you with direct care.
2. **Choose to have a Summary Care Record with Core information only.** This means that any authorised, registered and regulated health and care

professionals will be able to see limited information about allergies and medications in your Summary Care Record if they need to provide you with direct care.

3. **Choose to opt-out of having a Summary Care Record altogether.** This means that you do not want any information shared with other authorised, registered and regulated health and care professionals involved in your direct care. You will not be able to change this preference at the time if you require direct care away from your GP practice. This means that no authorised, registered and regulated health and care professionals will be able to see information held in your GP records if they need to provide you with direct care, including in an emergency.

To make these changes, you should inform your GP practice or complete this [form](#) and return it to your GP practice.

Opt-outs

You can choose to opt out of sharing your confidential patient information for research and planning. There may still be times when your confidential patient information is used; for example, during an epidemic where there might be a risk to you or to other people's health. You can also still consent to take part in a specific research project.

Your confidential patient information will still be used for your individual care. Choosing to opt out will not affect your care and treatment. You will still be invited for screening services, such as screening for bowel cancer.

You do not need to do anything if you are happy about how your confidential patient information is used.

If you do not want your confidential patient information to be used for research and planning, you can choose to opt out by using one of the following:

- Online service ([Your Data Matters](#)) – Patients registering need to know their NHS number or their postcode as registered at their GP Practice
- Telephone service: 0300 303 5678, which is open Monday to Friday between 0900 and 1700 hours.
- NHS App: For use by patients aged 13 and over (95% of surgeries are now connected to the NHS App). The app can be downloaded from the App Store or Google play.

- ‘Print and post’ registration form [Manage Your Choice Form](#)
Photocopies of proof of applicant’s name (eg passport, UK driving licence etc) and address (eg utility bill, payslip etc.) need to be sent with the application. It can take up to 14 days to process the form once it arrives at NHS, PO Box 884, Leeds, LS1 9TZ
- Getting a healthcare professional to assist patients in prison or other secure settings to register an opt-out choice: For patients detained in such settings, Guidance is available on NHS Digital and a Proxy form is available to assist in registration.

Text Messaging and Contacting You

Because we are obliged to protect any confidential information we hold about you and we take this very seriously, it is imperative that you let us know immediately if you change any of your contact details.

We may contact you using SMS texting to your mobile phone in the event that we need to notify you about appointments and other services that we provide to you involving your direct care, therefore you must ensure that we have up to date details. This is to ensure we are actually contacting you and not another person.

As this is operated on an ‘opt out’ basis we will assume that you give us permission to contact you via SMS if you have provided us with your mobile telephone number. Please let us know if you wish to opt out of this SMS service. We may also contact you using the email address you have provided to us. Please ensure that we have your up-to-date details.

Our telephone system records all telephone calls. Recordings are retained for up to three years and are used periodically for the purposes of seeking clarification where there is a dispute as to what was said and for staff training. Access to these recordings is restricted to named senior staff.

GP Connect Service

The GP Connect service allows authorised clinical staff at NHS 111 to seamlessly access our clinical system and book directly on behalf of a patient. This means that should you call NHS 111 and the clinician believes you need an appointment the clinician will access available appointment slots only (through GP Connect) and book you in. This will save you time as you will not need to contact the organisation direct for an appointment.

Much Birch Surgery and Taurus Healthcare will not be sharing any of your data and the organisation will only allow NHS 111 to see available appointment slots. They will not even have access to your record. However, NHS 111 will share any relevant data with us, but you will be made aware of this. This will help in knowing what treatment/service/help you may require.

Please note if you no longer require the appointment or need to change the date and time for any reason you will need to speak to one of our reception staff and not NHS 111.

Risk Stratification

Risk stratification data tools are increasingly being used in the NHS to help determine a person's risk of suffering a condition, preventing an unplanned or (re)admission and identifying a need for preventive intervention. Information about you is collected from several sources including NHS Trusts and from this organisation. The identifying parts of your data are removed, analysis of your data is undertaken, and a risk score is then determined. This is then provided back to your GP as data controller in an identifiable form. Risk stratification enables your GP to focus on preventing ill health and not just the treatment of sickness.

If necessary, your GP may be able to offer you additional services. Please note that you have the right to opt out of your data being used in this way in most circumstances, please contact Much Birch Surgery for further information about opt out.

Individual Risk Management at a GP practice level however is deemed to be part of your individual healthcare and is covered by our legal powers above.

Audit

Auditing of clinical notes is done by Much Birch Surgery as part of their commitment to effective management of healthcare whilst acting as data controller/processor for your GP practice. Auditing clinical management is no different to a multi-disciplinary team meeting discussion whereby management is reviewed and agreed. It would be realistically impossible to require consent for every patient reviewed which is unnecessary.

Medicines Management

Much Birch Surgery may conduct Medicines Management Reviews of medications prescribed to its patients. This service performs a review of prescribed medications to ensure patients receive the most appropriate, up to date and cost-effective treatments. The reviews are carried out by the ICBs Medicines Management Team under a Data Processing contract with the Practice.

Transferring Paper Medical Records into Electronic Medical Records

We are allowed to digitize existing paper records. The paper patient records will be shared with a scanning provider, who will scan and digitise the current paper medical records before destroying them. The paper patient records will be shared with the scanning provider above, who will scan and digitise the current paper medical records before destroying them.

Research

Clinical Research Network West Midlands (CRN WM) provides a research delivery service to GP practices across the West Midlands. All CRN WM Delivery Support staff are employed by The Royal Wolverhampton NHS Trust. All NHS Staff members who have been allocated to work within Much Birch Surgery will be issued with a Letter of access or assurance to confirm individual study placements and pre-employment checks.

CRN WM processes data under the instruction of the individual research protocol, as delegated by the practice (data controller). You can opt out of being invited to participate in research at any time, please inform a member of the practice team and we will add the appropriate opt out code to your record.

Primary Care Networks

The objective of primary care networks (PCNs) is for group practices together to create more collaborative workforces which ease the pressure on GP's, leaving them better able to focus on patient care. All areas within England are covered by a PCN.

Primary Care Networks form a key building block of the NHS long-term plan. Bringing general practices together to work at scale has been a policy priority for some years for a range of reasons, including improving the ability of practices to recruit and retain staff; to manage financial and estates pressures; to provide a wider range of services to patients and to more easily integrate with the wider health and care system.

All GP Practices have come together in geographical networks covering populations of approximately 30–50,000 patients to take advantage of additional funding attached to the GP contract. This size is consistent with the size of the primary care homes, which exist in many places in the country, but much smaller than most GP Federations.

This means that Much Birch Surgery and Taurus Healthcare may share your information with other practices within the Primary Care Network to provide you with your care and treatment.

NHS Health Checks

Cohorts of our patients aged 40-74 not previously diagnosed with cardiovascular disease are eligible to be invited for an NHS Health Check. Nobody outside the healthcare team in Much Birch Surgery and Taurus Healthcare will see confidential information about you during the invitation process.

Medical Examiner Service

Following the death of any patients we are obliged to inform the Medical Examiner Service. Medical examiner offices now provide independent scrutiny of non coronial deaths occurring in the community.

Medical examiner offices are led by medical examiners, senior doctors from a range of specialties including general practice, who provide independent scrutiny of deaths not taken at the outset for coroner investigation. They put the bereaved at the centre of processes after the death of a patient, by giving families and next of kin an opportunity to ask questions and raise concerns. Medical examiners carry out a proportionate review of medical records, and liaise with doctors completing the Medical Certificate of Cause of Death (MCCD).

Much Birch Surgery and Taurus Healthcare will share any patient information with the service upon request.

Safeguarding

The organisation is dedicated to ensuring that the principles and duties of safeguarding adults and children are holistically, consistently and conscientiously applied with the wellbeing of all, at the heart of what we do.

Safeguarding information such as referrals to safeguarding teams is retained by Much Birch Surgery and Taurus Healthcare when handling a safeguarding concern or incident. We may share information accordingly to ensure duty of care and investigation as required with other partners such as local authorities, the police or healthcare professionals (ie their GP or mental health team).

Service Evaluation

The PCN carries out service evaluations to improve the quality and accessibility of primary care services. This may be carried out in several ways including telephone surveys, online surveys and interviews.

Accessing Your Records

You have a right to access the information we hold about you, and if you would like to access this information, you should complete a Subject Access Request (SAR) and provide the relevant personal photographic identification. Please ask for a SAR form and you will be given further information. Furthermore, should you identify any inaccuracies, you have a right to have the inaccurate data corrected.

You have a right to privacy under the UK General Data Protection Regulation 2016 (UK GDPR) and the Data Protection Act. The organisation needs your personal, sensitive and confidential data in order to perform our statutory health duties, in the public interest or in the exercise of official authority vested in the controller in compliance with Article 6 (e) of the GDPR and for the purposes of preventative or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services in compliance with Article 9 (h) of the GDPR.

- You have the right to ask for a copy of all records about you
- Your request should be made to the organisation holding your information
- We are required to respond to you within one month
- You will need to give adequate information (for example full name, address, date of birth, NHS number etc)

Should you have any questions about our privacy policy or the information we hold about you, you can:

- Contact the data controller. Much Birch Surgery is the data controller for the data they hold about you
- Write to the data controller at Much Birch Surgery

If you think anything is inaccurate or incorrect, please inform the organisation as soon as possible. For other rights about the use of your information please see our [website](#).

We use a processor, iGPR Technologies Limited (iGPR) to assist us with responding to report requests relating to your patient data, such as subject access requests that you submit to us (or that someone acting on your behalf submits to us) and report requests that insurers submit to us under the Access to Medical Records Act 1988 in relation to a life insurance policy that you hold or that you are applying for.

iGPR manages the reporting process for us by reviewing and responding to requests in accordance with our instructions and all applicable laws, including UK data protection laws. The instructions we issue to iGPR include general instructions on responding to requests and specific instructions on issues that will require further consultation with the GP responsible for your care.

Third Parties Mentioned in Your Medical Record

Sometimes we record information about third parties mentioned by you to us during any consultation, or contained in letters we receive from other organisations. We are under an obligation to make sure we also protect that third party's rights as an individual and to ensure that references to them which may breach their rights to confidentiality, are removed before we send any information to any other party including yourself.

Our Website

Our website does use cookies to optimise your experience. Using this feature means that you agreed to the use of cookies as required by the EU Data Protection Directive 95/46/EC. You have the option to decline the use of cookies on your first visit to the website. The only website this Privacy Notice applies to is the Much Birch Surgery website. If you use a link to any other website from the organisation's website, then you will need to read their respective Privacy Notice. We take no responsibility (legal or otherwise) for the content of other websites.

Objections and/or Complaints

Should you have any concerns about how your information is managed at Much Birch Surgery and Taurus Healthcare, please contact the Quality Team via quality.taurus@nhs.net. If you are still unhappy following a review by the organisation, you can then complain to the Information Commissioner's Office (ICO)

via their website (www.ico.org.uk)

Telephone: 0303 123 1113.

The Information Commissioner's Office is the Regulator for the General Data Processing Regulations and offer independent advice and guidance on the law and personal data, including your rights and how to access your personal information.

Data Protection Officer

The organisation's Data Protection Officer is Paul Couldrey of PCIG Consulting Limited. Any queries regarding Data Protection issues should be addressed to him at:

Email: paul.couldrey@nhs.net
Postal: CIG Consulting Limited,
7 Westacre Drive,
Quarry Bank,
Dudley,
West Midlands DY5 2EE

Where to find our Privacy Notice

You may find a copy of our Privacy Notice on our [website](#) or a copy may be provided on request.

We regularly review our privacy policy and any updates will be published on our website to reflect the changes. The policy is reviewed on an annual basis.



Much Birch Surgery

Much Birch, Herefordshire. HR2 8Ht

Telephone: 01981 540310

www.muchbirchsurgery.co.uk

Taurus Healthcare Ltd

Suite 1, Berrow's Business Centre, Bath Street, Hereford HR1 2HE

Telephone: 01432 270636

www.herefordshiregeneralpractice.co.uk

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