



**METROPOLITAN
POLICE**

TOTAL POLICING

Freedom of Information Act Publication Scheme	
Protective Marking	Official
Publication Scheme Y/N	Yes
Title	Operational Use of Spit and Bite Guard(SBG) in the MPS - EIA
Version	3
Summary	To provide guidance on training, implementation and use of SBG
(B)OCU or Unit, Directorate	SC&O22
Author	
Review Date	14/03/2020
Date Issued	15/03/2018

EQUALITY IMPACT ASSESSMENT

The Equality Impact Assessment (EIA) Standard Operating Procedure (SOP) must be used when completing this form. Click the link below to view the EIA SOP.

Need some help? If you are unsure of any of the questions, click the 'GUIDANCE' button which provides key information about each step.

You can also contact your Diversity and Citizen Focus Directorate (DCFD) Advisor for guidance and support.

FOIA INFORMATION						GUIDANCE
Protective Marking	Not Protectively Marked		Publication Scheme		Yes	
Title	Operational Use of Spit and Bite Guard (SBG) in the MPS					
Branch / OCU	SC&O22 Officer Safety Unit					
Date Created	15/03/2018	Review Date	14/03/2020		Version	3
Author	PS 236CO Chris Morrow					

EQUALITY IMPACT ASSESSMENT

STEPS 1 TO 7

STEP 1. Aims and purpose of the proposal / policy	GUIDANCE
To provide guidance on training, implementation, and use of SBG	

STEP 2. Screening process for relevance to diversity and equality issues				GUIDANCE
Each "protected characteristic" in Section 5 has guidance as to what implications / issues you may need to consider.				
Does this proposal / policy have any relevance to:		Internal, relevant to staff / or working practices	External, relevant to service delivery	Not relevant to either
A	Age	☒ Yes	☒ Yes	☐ No
B	Deaf and disabled / Disability	☒ Yes	☒ Yes	☐ No
C	Gender Reassignment	☐ Yes	☐ Yes	☒ No
D	Marriage and Civil Partnership (employment only)	☐ Yes	☐ Yes	☒ No
E	Pregnancy and Maternity	☐ Yes	☐ Yes	☒ No
F	Race	☐ Yes	☒ Yes	☐ No
G	Religion or Belief	☒ Yes	☒ Yes	☐ No
H	Sex	☐ Yes	☐ Yes	☒ No
I	Sexual Orientation	☐ Yes	☐ Yes	☒ No
J	Other Issues	☐ Yes	☐ Yes	☒ No

STEP 3. If you have ticked yes to any protected characteristic box in Step 3, a full impact assessment is required.**GUIDANCE**

Full assessment required? (If Yes, a full EIA is required.)

☒ Yes☐ No**STEP 4. Examination of available information****GUIDANCE**

SBG offers a purpose-made, medically approved solution to help control the risks associated with spittle and bite related infections and injuries. They are an established tactical option within the National Personal Safety Manual (NPSM), which provides chief officers with an approved menu of tactics and techniques that form the basis of their mandatory Officer Safety Training Programme.

The NPSM is now owned by the College of Policing. Its tactics and guidance are subject to scheduled quarterly reviews by the National Practitioners' Committee, overseen by the National Policing Lead for Officer Safety Training. These processes involve committee members from the Home Office, IOPC and HSE - in addition to senior police managers.

SBG was first medically and tactically assessed by the national groups in December 2007, and entered the draft NPSM soon afterwards. The revised NPSM was officially published by the (then) National Police Improvement Agency in 2012, and continues to be the national repository for approved tactics and techniques for Officer Safety Training. In 2017 all of the current models were medically assessed again and passed as fit for use. Additionally a set of minimum standards was identified and now form part of any future implementation of SBG nationally. The NPSM has been updated to reflect this.

The MPS has monitored the use of SBG since its inception; and they are currently employed by 31 police services throughout England and Wales. Following increasing safety concerns from officers and Staff Associations, a formal application for their MPS introduction was made to the Commissioner's Strategic Forum in 2015. This application was deferred pending revisions of the MPS datasets to help inform this decision-making process. Subsequent enhancements to the data collation demonstrated significant increases in reported spit and bite incidents, year-on-year.

A pilot within the controlled environment of custody suites was agreed in February 2016 by the Met's Policy Forum, which is made up of officers and staff from across the organisation. A consultation process about their use took place and involved community advisors from Independent Advisory Groups, in addition to local magistrates and judicial staff in one borough. However, a new administration came into City Hall and the Met listened to concerns and is consulting further and wider before starting any pilot.

Following the consultation, the Met introduced the pilot of SBG on 19th December 2016 in five custody suites in the NE Detention Cluster with the purpose of assessing its success. The sites were:

- Forest Gate Custody Base, Newham borough
- Redbridge Custody Base, Redbridge borough
- Fresh Wharf Custody Base, Barking and Dagenham borough
- Leyton Custody Base, Waltham Forest borough
- Havering Custody Base, Havering borough.

The aim of the pilot was to assess the tactical and strategic advantages and implications of the Spit Guard Pro, which is the preferred, medically approved product of the UK's police services; whilst helping to control the significant and 'reasonably foreseeable' health risks already mentioned. SBG is not personal issue, and a small stock was held in each custody area should they be required.

Summary of Usages

From the start of the trial on 19th December 2016 to its conclusion (data cut-off period was the 22nd March 2017), there were 13 reported usages of SBG.

Feedback from Met Detention and participating officers suggested that the product was easily deployed, effective in stopping the emission of spit, blood and phlegm, and easily removed. Reports also suggested that officers' training and supervision were both adequate and fit for purpose.

An example of the correct usage and on-going assessment of the SBG with a detainee with mental health issues occurred in Leyton on the 18th February 2017. Officers had been bitten and spat upon by the violent detainee. The deployment of

the SBG was explained to both the detainee and the appropriate adult. No representations were made and the booking procedure was carried out safely. The SBG was then removed without further injury or complaint.

Another example of the correct on-going assessment of the deployment of SBG is from Forest Gate on the 28th December 2016 where officers immediately intervened when the detained person started to chew the SBG. It was removed safely without further incident.

At the conclusion of the Pilot, the NE Detention Cluster retained the operational use of SBG whilst a decision was made on the next steps. The decision was made to extend the use of SBG to all MPS Custody Suites from July 2017 following extensive community engagement both centrally by DAC Matt Twist, and locally via Borough Commanders. Engagement continues when requested by community groups.

Information packs and briefing updates have been provided to each of the BOCU Commanders responsible for local policing within the custody footprint for the proposed trial. They were directed to consult with the following people and groups:

- Local MP
- Local Assembly Member
- Leader of the Council
- Local Authority Chief Executive
- Safer Neighbourhood Chair
- Borough IAG

The following are summaries received from each BOCU commander's consultation process;

Newham (Detective C/Supt Tony Nash)

- Presentations delivered to all stakeholders. No issues raised from IAGs or Local Authority

Waltham Forrest (C/Supt Richard Tucker)

- No concerns raised by senior partners, local politicians, SNB and IAG
- One member asked: *"Why is spit guard used by other police forces but not the MPS?"*

Havering (C/Supt Jason Gwillim)

- No concerns raised by SNB or local authorities

Barking and Dagenham (Temporary C/Supt Sean Wilson)

- A variety of mixed observations from the local MP and SNB
- Some reflections made about the sensitivities of this safety equipment, making comparisons with 'stop and search' and detention methods used in other countries
- Acknowledgement of the safeguards that come from this trial being conducted in custody, need for further consideration if the trial is to be extended outside of the custody suite environment (perception of less supervision outside of custody)
- Suggestion that the name 'spit guard' was misleading as it was actually a hood; the importance of public confidence and recognition that officers need to be protected and the importance of the safety of officers

Redbridge (C/Supt Mandy Beacher)

- No concerns raised following stakeholder consultation

Local Judiciary Engagement

The Justices' Clerk for the East London Region politely declined consultation suggesting that it was not needed by local magistrates and judges at this time. This position was subsequently supported by His Honour Lord Radford, Snaresbrook Crown Court.

Independent Custody Visitors Engagement

A presentation and question and answer session was delivered by the Officer Safety Team to a small group of ICV representatives, and a member of MOPAC, on 29 November 2016, at Fresh Wharf Custody Base.

The meeting was well received and written feedback included the following points:

- *"Having seen it I am happy with the guard materials and processes explained.....happy to pass this information on to other ICVs"*
- *"Very useful tool for maintaining a safe custody area"*
- *"I hope it is extended to street use"*
- *"Helped dispel some myths and created clarity"*
- *"Much less intrusive than I expected"*
- *"The restricted parameters of where it can be used is appropriate.....with data monitoring and independent oversight"*

Policing Lead Engagement with Senior Stakeholders

DAC Matt Twist wrote letters, distributed via email, inviting the following stakeholders and organisations to receive an in-person briefing or further information about the proposed pilot of the use of spit guards by the MPS:

- The Children's Commissioner
- Liberty
- Amnesty
- Inquest
- Diane Abbott - Shadow Home Secretary

As the extended rollout continued a representative sample of usages were selected for post incident assessment. The main findings included good practice and areas for administrative improvement. The CCTV relating to these incidents was requested to enable a MPS subject matter expert to review the footage. Each usage has been assessed as 'officers following their training appropriately'.

The use of SBG has been discussed on two separate occasions by the London Ethics' Committee, which is attended by senior representatives from partner organisations, including MOPAC. The committee was broadly supportive of its use and recognised their utility.

DAC Matt Twist continues to lead the oversight of SBG within the MPS, as part of his National Self Defence and Restraint Portfolio. The MPS was instrumental to the SBG's inclusion within the National Use of Force Data Collation Programme, which also captures diversity data. This information, which is published monthly, will continue to be monitored in line with other indices, including custody data, to help ensure a proportionate and transparent response. The use of SBG follows an act of spitting and/or biting or the threat to do so. For this reason, disproportionality is considered unlikely. There have been no public complaints relating to its use at this time.

The application of SBG, is a use of force and must be recorded as such. Its use should be carefully assessed using the National Decision Model, which is firmly embedded within mandatory MPS training. Medical, mental health and or age will not be an automatic barrier to use although SBG will not be used on children under the age of 10 in the MPS. However careful consideration should be given to all available information and a clear rationale must be in place to ensure that it's proportionate, lawful, accountable and necessary in the circumstances.

After each use of force, officers are required to complete comprehensive evidential notes accounting for the necessity and proportionality of their actions, which are then supervised. Officers are also required to inform the custody sergeant immediately and complete an electronic data entry. This information not only informs the detainee's care plan, but also provides an empirical dataset for all uses of force, including the SBG.

This information will be monitored by the Officer Safety Unit, in partnership with Met Detention and the Safety and Health Risk Management Team.

A meeting between the MPS Commissioner, Mayor and Deputy DMC Policing on the 15th March has taken place. The data and safety protocols were discussed and agreed. They were supportive of the MPS position on the understanding that we maintain our current scrutiny of processes.

A further rollout of refresher training in the use of SBG was carried out as part of OST Phase 2/2017.

- It should also be noted that:
- There is no alternative tactical option currently approved in the officer safety manual to protect officers from spitting and the transfer of bodily fluids when they are bitten.
- An IPCC investigator had questioned why officers were having to improvise to deal with spitting when there is

already a tactical option available in the form of SBG.

- Spitting is a reasonably foreseeable hazard in the risk assessment for policing, which requires an adequate control measure. The MPS has already paid compensation to a serving officer as a result of being bitten/spat at. Department of Legal Services have confirmed that without SBG or a suitable alternative being available, any future claims made by officers against the MPS are more likely to be successful.
- The side effects of treatment for spitting incidents can produce the following side effects; random vomiting, sleep issues, severe diarrhoea, weight loss, fatigue, weakness, under performing kidneys and general feelings of ill health. This consequently impacts on the MPS through lost working hours and has a massive negative impact on the officer undergoing the treatment and their families.

If there is anything you are unsure of in this first section you can visit the Diversity and Citizen Focus Directorate (DCFD) intranet site for further information and advice, or contact one of the DCFD Diversity and Citizen Focus Advisors by clicking below.

STEP 5. Full Impact Assessment Process

STEP 5a. Consultation Log			GUIDANCE
Where are the consultation records stored? (e.g. General Registry, S-Drives etc)			
SC&O22 Officer Safety Unit S Drive			
Name of Business Group / Unit, Association, Stakeholder (External)	Why are you approaching / not approaching them?	Date and method of planned consultation	Outcome of consultation
Independent Medical Advisory Panel	Seek medical advice re implications of the use of Spit Guard.	20/12/2013 by E mail	Medical advice received and implemented in training guidance.
MPS Department of Legal Services	Additional advice re Spit Guard	10/03/2016 by E mail	Advice given
MPS Department of Legal Services	Spit Guard Toolkit	14/09/2016 by Email	Advice given
Police Transparency Group	Request from them regarding the evaluation of Spit Guard	20/03/2014 Meeting	Positive promotion of Spit Guard
Newham IAG	Explanation of Spit Guard	18/02/2014 Meeting	Positive promotion of Spit Guard
Stratford Magistrates Court	Explanation of Spit Guard	06/03/2014 Meeting	Positive promotion of Spit Guard
Magistrates/ IAG Bow Road Community Centre	Explanation of Spit Guard	10/02/2014 Meeting	Positive promotion of Spit Guard
MPS Mental Health Team	Spit Guard Toolkit	14/09/2016 E mail	Suggestions re policy and some implemented
S.A.M.U.R.A.I.	Spit Guard Toolkit	14/09/2016 E mail	Suggestion re Toolkit
MPS Health and Safety	Spit Guard Toolkit	14/09/2016 E mail	Suggestions re Toolkit and some implemented
MPS First Aid,	Spit Guard Toolkit	16/05/2018 E mail	No concerns
Met Federation,	Spit Guard Toolkit	18/04/2018	No concerns

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Met TUS,	Spit Guard Toolkit	14/09/2016 E mail	Question raised re DDO training & addressed
Supt Association	Spit Guard Toolkit	26/4/2018 E mail	Supports wider roll out.
Independent Custody Visitors Fresh Wharf Patrol Base	Presentation of Spit Guard	29/11/2016	Positive feedback
Havering Council, Safer Neighbourhood Board, IAG.	Explanation of Spit Guard	15/11/2016	No issues however awaits IAG response.
Waltham Forest OCU senior partners, SNB, IAG and local politicians.	Explanation of Spit Guard	02/12/2016	No concerns
Newham IAG and local authority	Appraisal of current position	05/12/2016	No concerns
Barking and Dagenham Safer Neighbourhood Board and local MP	Explanation of Spit Guard	28/11/2016	Observations raised.
Redbridge senior partners and stakeholders	Explanation of Spit Guard	5/12/2016	No concerns
Insp Claire Roberts MPS Transformation	Review of EIA	16/3/2020	Advice given and implemented

STEP 5b. EIA Action Plan

From your consultation activities and available information explain within the appropriate Action Plan template the potential positive and / or negative impact of the proposal / policy, internally on members of your workforce and externally on your communities / service delivery:

Age	GUIDANCE	Race	GUIDANCE
Deaf and disabled / Disability	GUIDANCE	Religion or Belief	GUIDANCE
Gender Reassignment	GUIDANCE	Sex	GUIDANCE
Marriage and Civil Partnership (employment only)	GUIDANCE	Sexual Orientation	GUIDANCE
Pregnancy and Maternity	GUIDANCE	Other Issues	GUIDANCE

STEP 5c. Action Plan Template Workforce Impacts (Internal)				GUIDANCE
Potential positive / negative issues / impacts	Activity	Role Holder	Action By Date	Progress/Timescale/ Monitoring
Age	Spit Guard can only be used by officers who are eligible and have undergone OST. Officers must complete/pass Job Related Fitness test to undertake OST.	OST Unit		Ongoing
Deaf and Disability	Individuals with disabilities are encouraged to raise any issues or concerns with the instructors who will assess the situation. Reasonable adjustments can be made to allow officers to complete the training. Officers can be referred to Occupational Health.	OST Unit		Ongoing
Gender Reassignment	No impact identified.	OST Unit		Ongoing
Marriage and Civil Partnerships	No impact identified.	OST Unit		Ongoing
Pregnancy and Maternity	No impact identified.	OST Unit		Ongoing
Race	No impact identified.	OST Unit		Ongoing
Religion or Belief	Any individual with any special requests or requirements is able to consult with the instructors who are trained to make reasonable adjustments to training.	OST Unit		Ongoing
Sex	No impact identified.	OST Unit		Ongoing
Sexual Orientation	No impact identified	OST Unit		Ongoing

STEP 5d. EIA Action Plan Template Service Delivery Impacts (External)				GUIDANCE
Potential positive / negative issues / impacts	Activity	Role Holder	Action By Date	Progress/Timescale/ Monitoring
Age	Older people, young people and children. Older people are more likely to be pleased with the police for having additional	OST Unit		See comments in Part 4.

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	equipment to deal with the most aggressive and violent people. Limited understanding of SBG may be the main problem to overcome. This can be achieved by communication with community groups. Young people may be concerned due to their perception of police and the perceived style of policing towards young people. The use of SBG will be subject to close scrutiny by a number of different stakeholders both internal and external. By engaging with the young communities and IAG's there will be the opportunity to allay such fears. SBG will not be used on children under the age of 10.			
Deaf and Disability	There may be fears from the deaf community about communication issues when police are dealing with a deaf individual. Communication skills and awareness are embedded in police training and put into practice with other police equipment. There have been concerns raised around the use of SBG and those suffering from Mental Health. Police training within OST has given guidance around dealing with MH specifically CARES and SLAM DVD. This along with training and use of National Decision Model will help manage this issue.	OST Unit		Ongoing
Gender Reassignment	No impact identified at present	OST Unit		Ongoing
Marriage and Civil Partnerships	No impact identified at present	OST Unit		Ongoing
Pregnancy and Maternity	No impact identified at present	OST Unit		Ongoing
Race	There is nothing to suggest that the impact on communities overall will be negative. However there may be concern shown from some quarters within these communities. There may be a lack of understanding around the accountability attributed to not	OST Unit		Ongoing

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	only this piece of safety equipment but any use of force. Engagement programmes such as the ones delivered in Newham allay such fears. In some circumstances the use of a SBG may mean that less physical force is needed to restrain someone, and indeed there may be less likelihood that prone restraint is needed in circumstances where the suspect is spitting and biting.			
Religion or Belief	There may be concern among some religious groups about religious headgear being removed to facilitate SBG use. Religious headgear will not be removed to facilitate the use of SBG and this is embedded in training within OST.	OST Unit		Ongoing
Sex	No impact identified at present	OST Unit		Ongoing
Sexual Orientation	No impact identified at present	OST Unit		Ongoing

STEP 6. Ensure monitoring and review arrangements are put in place**GUIDANCE**

How will the implementation of the proposal / policy be monitored and by whom?

From April 2017 the national Use of Force data collection programme of which the MPS is a 'Pathfinder' force will be evaluated to monitor the protected characteristics. This will inform any changes that may be required to the policy. In the interim this data will be collated as part of Met Detentions monthly management report.

All Public Authorities such as the Metropolitan Police Service (MPS) have to comply with section 149 of the Equality Act 2010 more commonly known as the General Duty.

The Duty requires us to:

- **Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.**
- **Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.**
- **Foster good relations between people who share a relevant protected characteristic and those who do not share it.**

One of the ways we can demonstrate that we are complying with the General Duty is to document how decisions are reached and resulting activities including monitoring and review arrangements. In the MPS, the way we evidence this is by completing EIAs.

What is the timetable for monitoring, with dates?

The MPS will continue to monitor the use of SBG.

STEP 7. Public availability of reports / result. What are the arrangements of publishing, where and by whom?**GUIDANCE**

The EIA will be available on the Metropolitan Police Service Publication Scheme.