

WILTSHIRE POLICE FORCE PROCEDURE



SPIT AND BITE GUARD

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PROCEDURE OVERVIEW

This procedure has been put in place to set out the criteria for the selection and acquisition of protective equipment known as Spit and Bite Guards. It also sets the standards for the training and deployment of Spit and Bite Guards. The aim of this procedure is to ensure that there is an efficient and consistent approach adopted across the force in regard to the use of Spit and Bite Guards.

GLOSSARY OF TERMS

Term	Meaning
ABD	Acute Behaviour Disorder
MH	Mental Health
NDM	National Decision Making
PPE	Personal Protective Equipment

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

[Personal Protective Equipment \(PPE\) Procedure](#)

[Use of Force Policy](#)

[GRA 097 Operational Use of Spit and Bite Guard](#)

AUTHORISED PROFESSIONAL PRACTICE AREAS ASSOCIATED WITH THIS PROCEDURE

[Armed Policing > Use of Force](#)

[National Decision Model](#)

[Detention and Custody > Risk Assessment](#) > Acute Behavioural Disorder

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the Force [Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING and REVIEW

The Spit and Bite Guard Procedure Document will be reviewed annually by the Force Occupational Health and Safety Committee via the Force Head of Health and Safety and Head of Specialist Operations.

The procedure document will also be reviewed in light of any significant changes to legislation, processes and hazardous substances used in the workplace. The use of spit and bite guards within Wiltshire Police will be regularly and closely monitored through the Use of Force Board and Occupational Health and Safety Committee.

WHO TO CONTACT ABOUT THIS PROCEDURE

The Head of Health and Safety and the Head of Specialist Operations are responsible for this procedure. All queries relating to this procedure should be directed to the Health and Safety Administrator or the Force Policy Officer.

1. LEGAL REQUIREMENTS

1.1 The Health and Safety at Work Act 1974

Wiltshire Police has a responsibility to protect staff exposed to risk as part of their duty under the Health and Safety at Work Act (1974). This duty further extends to subjects within our care. Wiltshire Police also have a duty to provide adequate personal safety equipment and training for all relevant staff who could potentially face violent situations, which includes the risk of spitting and biting.

1.2 The Personal Protective Equipment at Work Regulations 1992 (as amended)

The Personal Protective Equipment at Work Regulations 1992 (as amended) requires the employer to ensure suitable PPE is provided to employees who may be exposed to a risk to their health or safety while at work except where the extent of such risk has been adequately controlled by other means which are equally or more effective.

The Regulations make particular reference to policing stating: *“Where the characteristics of any policing activity are such that compliance by the relevant officer with the requirement, in the previous paragraph, would lead to an inevitable conflict with the exercise of police powers or performance of police duties, that requirement shall be complied with as far as is reasonably practicable.”*

2. SCOPE OF THIS PROCEDURE

This procedure has been put in place to set out the criteria for the selection and acquisition of protective equipment known as Spit and Bite Guards. It also sets the standards for the training and deployment of Spit and Bite Guards. The aim of this policy is to ensure that there is an efficient and consistent approach adopted across the force in regard to the use of Spit and Bite Guards. This procedure will also compliment national policy as laid down by the College of Policing and applies to all police officers, special constables and police staff detention officers and Prisoner Transport Team Escort Officers within Wiltshire Police.

3. CURRENT RISK OVERVIEW

Wiltshire Police, like many other forces, has seen an increase in notifiable crimes and injuries involving spitting. Spit and bite guards provide an additional use of force option to be considered in such circumstances and should be used by trained officers as part of the suite of tactical options to resolve incidents they are dealing with.

A spit and bite guard is a piece of Personal Protective Equipment (PPE). The spit and bite guard is a transparent, breathable mesh garment that is placed over the subjects head to restrict the transfer of body fluids from the mouth by means of spitting. Its application should prevent a person from spitting beyond the confines of the guard. The garment reduces the potential spread of contagious diseases to staff and members of the public, or other persons who come into close proximity to the wearer.

4. PROCUREMENT PRINCIPALS

The Kit Design Spit Guard Pro, Spit and Bite Guard is the approved product for Wiltshire Police. This product has been medially certified under the CE Medical Devices Directive 93/42/EEC.

The single use Spit Guard Pro's design ensures quick and effective application and once in place the Spit Guard cannot be removed or repositioned by a suitably restrained person. Such is its construct that if the wearer was to be fall face first to the ground, at no time would the mouth or airway be blocked. Asphyxiation through ingestion of vomit has been designed out through the Spit Guard Pro's unique spaced frontal section. The design of the Spit Guard also means that upon safe removal any expelled liquids or material can be safely contained for subsequent hygienic disposal off the guard and its contents.

The Spit and Bite Guard is constructed from a breathable material that reduces the risk of the wearer being able to assault Police Officers, Police Staff or the public by spitting or biting. Its application prevents a person from spitting beyond the confines of the guard and allows for the safe escort and transportation of the arrested person from a public or private location to a police or escort vehicle or within the confines of a Wiltshire Police custody area. A full risk assessment has been completed; refer to [Spit and Bite Guard Pro Generic Risk Assessment \(GRA 097\)](#).

5. GENERAL PRINCIPLES

- Only Wiltshire Police approved Spit and Bite Guards are to be used (Kit Design Pro spit and bite guard)
- The use of a Spit and Bite Guard must always be proportionate, reasonable, legally compliant and justified and should only be used where considered necessary. Officers and staff must be mindful of its use, especially when considering use on persons perceived to be vulnerable due to medical conditions, mental health history or age. An Officer must be fully able to justify their tactical decision in using the Spit and Bite Guard which must be in line with the [Code of Ethics](#) and the [National Decision Model \(NDM\)](#).
- Reassessment of the continued use of Spit and Bite Guards should be an ongoing process based on the risk/threat assessment.
- Spit and Bite Guards will be issued as an item of Protective Equipment (PPE) to Police Officers and Special Constables.
- Spit and Bite Guards will not be personally issued to Escort Officers, Detention Officer or PCSO's but they will be trained and can assist Police Officers in its use.
- The Spit and Bite Guard is a 'one use only' device. It will be the responsibility of all officers and staff to ensure that the Spit and Bite Guard is new and undamaged and prepared for use. It should be checked regularly in line with other relevant PPE checks.
- Application of a Spit and Bite Guard is a use of force and needs to be considered and recorded as such in line with Force policy.
- Spit and Bite Guards will only be carried and used by trained officers and staff and used in accordance with training and manufacturers guidance. Relevant personnel whose mandatory Personal Safety Training (PST) expires will not be authorised to use a Spit and Bite Guard.
- Once used, Spit and Bite Guards should be considered as evidence and should be exhibited following Wiltshire Police policy on exhibits.

6. TRAINING PRINCIPLES

Police Officers, Special Constables, PCSO's Detention Officers and Escort Officers will receive training in use of the Spit and Bite Guard either during their initial or subsequent refresher Personal Safety Training. Please refer to People Development for full details of delivery and the spit and bite guard lesson plan.

7. OPERATIONAL USE OF SPIT AND BITE GUARDS

Spit and Bite Guards should only be used in circumstances where the actions of the subject are such that they represent a significant risk to the safety of relevant personnel, members of the public and themselves. There are a number of scenarios in which it is acknowledged that the spit and bite guard may be used:-

- ✓ Moving a person from the scene of an arrest to a police vehicle
- ✓ Transporting a person to a location (custody suite, place of safety) – ***if the Spit and Bite Guard is to remain on the subject whilst being transported the subject must be directly accompanied by a police officer at all times. This is the responsibility of the arresting officer.***
- ✓ Placing a person into a police vehicle or cell.
- ✓ Moving a person around the custody unit.

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- A Spit and Bite Guard can be used when the subject is: Spitting or biting is preparing to spit or bite or is threatening to spit or bite. This threat can be aimed at police officers, police staff or the public. The spit guard can be used where the officer has an honestly held belief that the offender will spit or bite. The rationale for this honestly held belief must be recorded and based on intelligence that the threat is immediate.
 - Officers wearing body worn video should ensure that it is turned on as soon as possible for footage to be captured of the incident which includes application of the spit and bite guard. The footage needs to be retained for evidential purpose.
 - All police officers, special constables, PCSO's, detention officers and escort officers are required to justify their decision making and actions using the [National Decision Making Model \(NDM\)](#). This decision should be based on evidence, information and intelligence available at the time and best professional judgement.
 - All police officers, special constables, PCSO's, detention officers and escort officers should note that a Spit and Bite Guard can be used on a person who is under 18 years of age or appears to be under 18 years of age; detailed rationale must be recorded in line with the above, with specific reference to the age of the individual and considerations associated with their age.
 - Spit and bite guards should not be used on persons suffering (or believed to be suffering) from Acute Behaviour Disorder (ABD) as this can increase the effects of the disorder and therefore also increase the risk of death occurring. Any ABD should be treated as a medical emergency and the subject be transported to hospital.
 - Officers should where practicable issue a verbal warning to the subject prior to the spit and bite guard being used. The warning is for the benefit of the subject, onlookers and other officers, similar to the warning given before the use of other PPE. The warning below is recommended or words similar to:
"Stop spitting. To protect myself and others I am placing a spit and bite guard over your head"
 - The subject **MUST** be handcuffed to the rear before application of the guard. It is vitally important that the subject is under control, otherwise there is opportunity for the subject to interfere with the spit and bite guard applied to them.
 - The spit and bite guard needs a minimum of two officers working together to control the subject to correctly apply it.
 - Eyewear will be removed where possible from the subject prior to a spit and bite guard being applied. Consideration must be given to jewelry, including facial piercings. These may interfere with the spit and bite guard whilst donned and prevent it being removed quickly and in the event of a medical emergency.
 - If the subject is wearing any faith related headwear that prevents the application of the Spit and Bite Guard then alternative tactical options should be considered. The dignity of the subject should be protected in these circumstances.
 - The reasons for the application must always be explained to the subject. Good communication skills are extremely important. The dignity of the subject wearing the spit and bite guard must always be maintained and ensure that the guard is only in place for as long as necessary. If the subject is being escorted from the location of arrest to a police vehicle they must be accompanied by a police officer at all times and this needs to be done as promptly as practicable in the circumstances.
 - Following the use of PAVA officers and staff should have an increased awareness of the needs of the subject when a Spit and Bite Guard has been used. PAVA aftercare procedures should be followed as best as they can without causing increased danger to officers or extra distress to the subject.
 - **Under no circumstances** should a subject be left unattended whilst wearing a Spit and Bite Guard. Relevant personnel should keep anyone wearing a spit and bite guard under constant supervision due to the potential risk of it inducing an asthma attack, vomiting, difficulty in breathing, or causing a restriction from a facial bleed. If the Spit and Bite Guard is to remain on the subject whilst being transported, the subject must be directly accompanied by a police officer at all times. Arrangements for this are the responsibility of the arresting officer.
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- Any journey from outlying areas of County Division to Melksham Custody whether or not a van is used, is likely to exceed 30 minutes travel time and therefore an HCP should be made available to the subject upon arrival at custody in line with this policy.
 - Officers and staff have a duty of care in relation to the safety and well-being of subjects under their control. Where it is evident that the subject becomes unduly distressed or a medical emergency the spit and bite guard should be removed immediately.
 - The Custody officer must be informed of the use of the spit guard, even if the spit guard has been removed prior to arrival at the custody centre.

8. USE OF SPIT AND BITE GUARDS IN CUSTODY

When attending the custody suite officers should consider either the removal of the spit and bite guard if it is considered by the officer that is suitable to do so. Within the custody suite officers are to be guided by the custody officer. Where a subject comes into custody wearing a spit and bite guard, the Custody Sergeant should routinely check for visible head injuries when the guard is removed.

If the spit and bite guard has been used the custody officer must be informed and the custody record should be endorsed accordingly by the Custody Officer. A requirement for a Health Care Professional (HCP) or Force Medical Examiners (FME) will be a matter for the Custody Officer but, if the spit and bite guard has been on the individual for 30 minutes or more, then they should always be seen as a matter of course.

If a spit and bite guard is used on a detainee in custody then the Custody Sergeant will ensure that police officers constantly monitor the subject at close proximity for the entire time that the guard is worn and for a period of time after. The officers should check that the subject is breathing and the airway is not restricted in any way, recording their actions on the custody record. Officers should be reminded of the dangers of positional asphyxia.

9. AFTERCARE

Recovery from the effects of the use of a spit and bite guard should be instantaneous, it is important that relevant personnel provide verbal reassurance as to the temporary effects and use of the spit and bite guard and instructs the subject to breathe normally. This will aid recovery and mitigate against hyperventilation. Should the subject not recover, first aid should be rendered immediately and the incident should be treated as a medical emergency.

Once used, the spit and bite guard should be disposed of as Bio-Hazardous waste, unless needed as evidence. A replacement spit and bite guard can be obtained from custody or the HQ Supplies department.

DOCUMENT ADMINISTRATION

Ownership:

Department Responsible: Specialist Operations
Procedure Owner/Author: Supt Gavin Williams
Technical Author: Sarah Somers
Senior Officer/Manager Sponsor: ACC Local Policing and Partnerships

Revision History:

Revision Date	Version	Summary of Changes
10.12.2019	2.0	Amend to insert escort officers to receive training but not personal issue.
03.02.2021	3.0	Amend to insert PCSO's to receive training but not personal issue
03.02.2021	3.0	Amend to insert the subject MUST be handcuffed to the rear
03.02.2021	3.0	Amend to change prisoner escort officer to escort officer

Approvals:

This document requires the following approvals:

Name & Title	Date of Approval	Version
Continuous Improvement Team (Policy Officer)	09.02.2021	3.0
Occupational Health and Safety Committee (CC Chair)	12.12.2019	2.0
JNCC (Not required for all procedures)	N/A minor amendments	

Distribution:

This document has been distributed via:

Name & Title	Date of Issue	Version
E-Brief		
Email to relevant affected Staff/Officers		
Other: DLT Meeting structure		

Diversity Impact Assessment:

Has a DIA been completed? If no, please indicate the date by which it will be completed. If yes, please send a copy of the DIA with the procedure to the Force Policy Officer.	☒ Yes ☐ No Date: 07.09.2018
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Consultation:

List below who you have consulted with on this procedure (incl. committees, groups, etc):

Name & Title	Date Consulted	Version
Occupation Health and Safety Committee	12.12.2019	2.0
Wiltshire Independent Advisory Group	May – December 2018	0.1 – 0.3

Implications of the Procedure:

Training Requirements

Suitable and appropriate training in the use of the spit and bite guard will be provided for all staff required to carry and use the spit and bite guard as defined within the procedure.

IT Infrastructure

No additional IT infrastructure is required.