



BEST PRACTICE GUIDELINES FOR WATCHING WILDLIFE

Introduction

Wild Scotland is the Scottish Wildlife and Adventure Tourism Operators Association. We represent nature-based tourism companies across Scotland, all of whom care and respect Scotland's wildlife and nature. These guidelines offer best practice to tourism companies who encounter wildlife (either intentionally or incidentally) during their trips. These guidelines aim to help operators deliver an enjoyable and memorable wildlife-watching experience whilst minimising the impact on the animals themselves.

This document is part of the **Wild Scotland Best Practice Guideline** Series. More details about other guidelines in the series can be found at www.wild-scotland.org.uk.

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1. General Principles

Watching how you behave around wildlife makes business sense.

Many people are thrilled to see animals in the wild, and for some it is the highlight of their trip. Many species are protected by the law and if disturbed many abandon an area or fail to reproduce owing to stress. For those who depend on wildlife tourism, the disturbance of wildlife will ultimately affect livelihoods. By working within these guidelines we can ensure the Scottish nature-based tourism industry maintains its international reputation for professionalism, quality and excellence.

- All licences, insurances, policy statements (e.g. Health and Safety, Child Protection, Disability), staff disclosures and qualifications should be up-to-date and available for inspection by competent authorities.
- All regulations relating to vehicles, vessels, equipment and drivers/skippers should be adhered to and vehicles and equipment should be well-maintained and regularly checked.
- Where driver regulations require, a separate guide should be on the tour. Consideration should be given to obtaining specialist off-road driver training if appropriate.
- Where a boat is operated single-handedly, particular care must be exercised in relation to the choice of route, conditions and safety should the skipper become incapacitated. Please note that under Marine Guidance Note (MGN) 280, the MCA does not recommend single-handed operations unless conditions laid out in the document are met (Annexe 3, section 7.1).





- Encourage additional professional qualifications such as interpretation or guiding certification, mountain leader, Leave No Trace (www.lnt.org) and first aid.
- Operators are encouraged to join the VisitScotland Quality Assurance Scheme (wildlife experience, activity centre or day tour), the Green Tourism Business Scheme and, where applicable WiSe (Wildlife Safe) accreditation.
- Businesses should display their Wild Scotland logo and other relevant logos on tour vehicles or vessels.
- It is the responsibility of the tour leader/skipper and/or guides to be aware of sensitive areas and local codes of conduct for specific species. Where necessary, advice should be taken on local issues and activities adjusted accordingly.
- Be aware of your access rights and follow the Scottish Outdoor Access Code (see Box 1) and the Scottish Marine Wildlife Watching Code.
- Motorised activities are excluded from the public's access rights (except for vehicles built or adapted for use by a person with a disability and being used by that person). You must therefore have express permission from the landowner before driving a vehicle off the public road. You should contact the land manager to obtain permission and for advice on minimising your impact on land management activities, the environment and other people.
- Guests should be encouraged to provide written feedback on their tour. This feedback should be used to make improvements to your operations.

2. Getting Off To A Good Start

The tour leader/skipper and guide/crew are responsible for guests' safety and enjoyment during the trip and also to ensure that the activities are undertaken responsibly. Wild Scotland therefore recommends the following guidelines:

- When guests arrive, staff, vehicles, vessels and equipment should be clean and ready.
- Ensure you have the appropriate kit e.g. compass, first aid kit and educational resources and that your guests are suitably equipped too. You should be prepared for all eventualities.
- A brief and friendly introduction is a professional way to start and will help manage guests' expectations - see Box 2.
- Advise guests of appropriate behaviour during the trip, e.g. keeping noise and movement to a minimum when watching wildlife; not dropping litter, using flash photography or approaching wildlife; staying on paths etc.
- Be approachable, helpful and willing to speak to people and answer questions;
- Consider the size of your group in relation to the sensitivity of the situation. Keep guests together in sensitive areas and keep them informed on appropriate behaviour. The Leave no Trace principles are a good start.
- For walking or kayaking tours, set the pace to the slowest participant.

BOX 1

Responsible Access

Everyone has the right to be on most land and inland water providing they act responsibly. Your access rights and responsibilities are explained fully in the Scottish Outdoor Access Code (SOAC).

Whether you're in the outdoors or managing the outdoors, the key things are to:

- Take responsibility for your own actions
- Respect the interests of other people
- Care for the environment

Full information at
www.outdooraccess-scotland.com





- When speaking to the group, ensure that everyone can hear and see you. The best way to check is to ask. If using an amplifier, ensure the balance is suitable to weather conditions.
- Encourage your guests to get involved with looking for wildlife. Use binoculars or telescopes to get better views, rather than getting too close. Where possible, make use of wildlife watching hides to observe species. Carry spare binoculars for your guests.
- When watching wildlife ensure the vehicle/vessel and guide/crew are positioned so that everyone has the opportunity for a good view.
- Provide an engaging commentary and further information (see Box 3) on the species and habitats seen. It is not acceptable to merely point out species.

Vehicles & Walking Tours

- Do not address the whole group whilst driving unless your licence allows this and all the group can hear. Consider a lapel microphone and a speaker.
- Where appropriate, stop the vehicle and allow people out to see the wildlife. Always park your vehicle responsibly in relation to wildlife and other users.
- Brief guests on how to behave before they move away from the vehicle, such as getting out of the vehicle quietly and not speaking too loudly or slamming doors.
- Where possible, vehicles should remain on surfaced roads to avoid disturbance and habitat destruction, however if off-road is necessary, follow existing tracks.
- It is an offence to idle your engine unnecessarily; turning off improves air quality and reduces your fuel costs. Turn off engines if stationary for more than a few minutes.

3. Best Practice during Wildlife Encounters

General

- **Set a good example.** If you disturb wildlife, your clients and others watching will think it is acceptable to do the same. If in doubt, back off and explain your actions.
- **Consider your route.** Avoid visiting sites where there are lots of other operators, it increases the potential to disturb wildlife and decreases the visitors' experience of nature. Stay in contact with other groups in the vicinity to avoid repeated disturbance.
- **Keep to paths and routes** that avoid disturbance to wildlife wherever possible. Be aware that regular use of routes can lead to wildlife becoming accustomed to your presence, but over-use of routes can drive away sensitive wildlife. Use your judgement and ask experts if in doubt.

BOX 2

The Introduction

Guests should feel welcome and involved in the trip. A briefing should be provided and could include:

- A welcome and introduction to the team;
- Safety instructions;
- Basic housekeeping (toilets, refreshments, storage, litter bins etc);
- Details of the trip and itinerary, including what wildlife may be seen. Don't set expectations too high, its better to set reasonable expectations and exceed them;
- Information about how the vehicle or vessel will be handled to minimise wildlife disturbance and why this is important. This will give your guests a better understanding of what you are doing and encourage their support;
- Information for guests about how they should behave when wildlife is encountered;
- Any other issues relevant to the trip relating to conservation, data collection, local codes etc;
- The opportunity to ask questions.

BOX 3

Inspiring People to Find Out More

Where possible, have available:

- map of the area
- identification charts, field guides and other reference material
- species information (in different languages if relevant)
- references where further information can be obtained
- Wild Scotland members' listing and other literature





- **Keep a lookout.** As soon as you see wildlife, evaluate the situation; identify the species, behaviour, geography of the area and whether there are young in the group, then adjust your behaviour accordingly. Ideally animals should be showing the same behaviour when you leave as when you arrived.
- **Approach slowly and cautiously.** Make sure your movements are steady and predictable. Do not approach directly from in front or behind, use an oblique angle.
- **Keep your distance.** Advise guests that the most rewarding and authentic wildlife encounters are those where the animals are behaving naturally. If animals are with young, distances should be increased. For marine mammals, 100m is recommended as the safe distance to which whales should be approached and 50m for seals, seabirds and small cetaceans.
- **Be aware of signs of disturbance (Box 4).** Ideally, move away before any signs of disturbance are seen (e.g. 'heads up' responses, alarm calls, sudden movements or aggressive behaviour).
- **Encounters should be on the animals' terms.** If an animal moves away do not try to re-encounter or pursue. Relaxed animals often come back of their own accord.
- **Animals do not always behave in the same way at different sites or different times of year.** At some popular sites, seals, otters and some birds may get habituated to certain vehicles and certain noise levels but this is unlikely to be the case everywhere.
- **Limit encounters to 15 minutes.** Unless the animal is obviously associating with the vehicle or vessel and departure may cause disturbance.
- **Avoid boxing animals in.** If other people are watching the same animals, stay on the same side and allow a safe escape route i.e. to open water, shelter or the rest of the group. Avoid splitting up groups of animals.
- **Avoid lone young animals and never come between mothers and their young.** Take extra care during sensitive times of year in places where animals may be breeding, on nests or with their young.
- **Dogs should not be taken on wildlife-watching trips** as chances of seeing wildlife will be reduced, the probability of disturbing wildlife will be increased and it does not set the best example.
- **Do not allow flash photography around wildlife.** Encourage guests to find out how to turn off automatic flash settings on cameras.
- **If camping, follow the Mountaineering Council of Scotland's guide to 'Wild Camping'** and do not pitch tents close to dens, otter holts or sites used by birds for nesting or roosting. Do not light fires.
- **Keep a log of wildlife sightings.** Record and submit sightings of key or unusual species. See Wild Scotland website for further information.

BOX 4

Signs of Disturbance

If an animal changes its behaviour as a result of your presence then you may have disturbed it. As a professional tourism operator you should aim to minimise disturbance to wildlife.

- **Basking sharks:** tail lashing, sudden change of direction or sinking from surface;
- **Cetaceans:** move away from the boat, bunch together, tail slaps, increased dive times;
- **Deer:** head up/looking directly you, then moves away (possibly at speed);
- **Otters:** harsh 'hah' alarm call, changing behaviour and moving away;
- **Seabirds:** leave nest suddenly with alarm calls;
- **Seals:** 3 stage response 1: head up/looking at you, 2: shuffling/moving around, 3: rush into the water;
- **White-tailed eagles:** loud 'kok kok kok' call. May also fly around and throw legs forward or appear to falter in mid flight.





A: Species Specific Advice

Birds

- Do not deliberately identify nest sites of rare or protected species (see Box 5);
- Do not intentionally put up flocks of birds.
- Do not use pre-recorded bird sounds to attract birds and consider the implications of using feeders.
- On land, be careful not to scare birds off nests or trample burrows. Some species, such as puffin, appear tolerant of close approach but this may prevent access to nest burrows and can increase predation.
- Avoid white-tailed eagle nests. If you are near an active nest between March and July move away quickly and quietly (for signs of distress see Box 4). Do not attempt to photograph the nest. Please report sightings to RSPB, noting wing tag details such as colour and letter/number.
- Avoid tern colonies where possible.
- Take care around bird colonies and nesting cliffs. If birds are alarmed and take off quickly, eggs or chicks are vulnerable to predation or can be knocked into the sea. Avoid appearing above nesting cliffs as this can trigger a 'crash' exodus.
- Seabird colonies may tolerate quiet, slow, sea-level approaches from vessels better, but do not disembark and keep visit short.
- On the water, do not go through rafts of birds. If it is unavoidable, ensure a slow speed and steady course.

Seals

- Seals haul out sites are very vulnerable to disturbance (especially from kayaks). Be aware of haul-out spots before setting off and avoid them if possible.
- Never flush seals into the water. Escaping into the water expends a lot of energy and can have serious impacts on long term health and reproductive success. It also degrades the watching experience for guests and other operators who may come after you.
- If you approach do so at an oblique angle with constant watch for signs of disturbance – see Box 4. If individual animals are staring at you or the boat, you may be disturbing them. Avoid making eye contact and be prepared to move away smoothly, slowly and quietly.

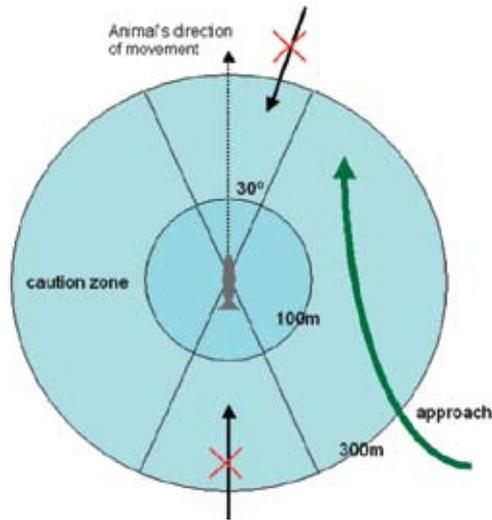
BOX 5

Examples of Protected Species

There are over 100 species protected in the UK. Here are a few examples:

- Basking sharks
- Bats (all species)
- Capercaillie
- Cetaceans (porpoises, dolphins & whales)
- Corncrake
- Dotterel
- Golden eagle
- Osprey
- Otter
- Pine marten
- Red kite
- Red squirrel
- Scottish wildcat
- White tailed eagle



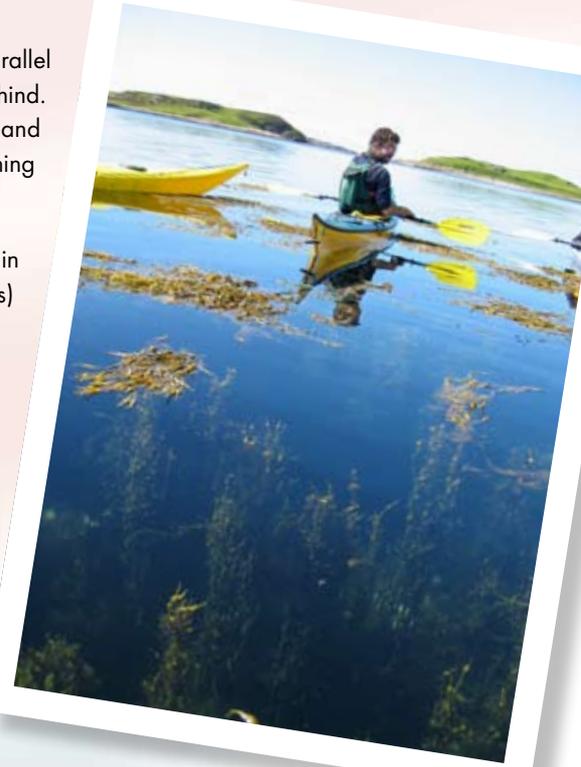


Recommended Line of Approach

Figure taken from Scottish Marine Wildlife Watching Code: Guide to Best Practice for Watching Marine Wildlife (SNH)

Cetaceans & Basking Sharks

- Approach cautiously using an oblique angle. When you draw level maintain a parallel course to the animal or group. Do not approach directly from the front or behind. Within the caution zone (300m) assess how your actions may affect the animal and take steps to minimise disturbance. Refer to the Scottish Marine Wildlife Watching Code Guide to Best Practice for more advice.
- If approached by marine mammals, and where it is safe to do so, put the engine in neutral and allow the animal to pass. Do not engage propellers until the animal(s) are observed at the surface and clear of the vessel.
- If there are other vessels near the animals, establish contact and co-ordinate your actions to avoid disturbance. Stay on the same side of the group and avoid having more than two boats within 100m of the animals.
- Should dolphins choose to bow-ride, maintain a steady course and speed. When you need to break off the encounter, slow gradually to a stop and allow the animals to leave you of their own accord. When the animals leave, do not follow.
- If you are returning to an area where animals have recently been seen, approach slowly. This is especially applicable to basking sharks which may be just below the surface.
- Avoid tidal fronts where possible (often marked on the surface of the water by lines of debris or foam) as these are common feeding grounds for basking sharks. Animals may be under the surface and unaware of your presence. Maintain a parallel course, 100m off the front.
- Wild Scotland does not encourage feeding, touching, riding or swimming with marine mammals or basking sharks.





B: Guidance Specific to Sea Kayaks

- The silent approach of a kayak may cause sudden alarm as too may the sound and movement of the paddles. Keep movements steady and predictable and do not approach directly. A lower paddle angle may create fewer disturbances.
- Large animals like basking sharks can present a threat to kayaks and should be given plenty of space.
- Sea kayaks allow for exploration of places other vessels are unable to reach, such as sea caves. Be aware that birds nest and roost in sea caves and that seals sometimes haul out at low tide. If you encounter wildlife in a sea cave, back out slowly as you may be blocking their 'escape' route. Hug the wall where safe to do so.
- If going ashore, choose your landing area carefully so that any noise or activity will not disturb wildlife or ground-nesting birds. If possible, carry your kayak (rather than drag it) when moving overland.
- Avoid landing at seal haul-out sites and seabird colonies, and where possible in protected areas.

4. Further Information

See the Wild Scotland website on www.wild-scotland.org.uk for current information

Also:

- Scottish Outdoor Access Code:
www.outdooraccess-scotland.com
- Scottish Marine Wildlife Watching Code:
www.marinecode.org
- Scottish Canoe Associations Environmental Guidelines:
www.canoescotland.com
- Wildlife Safe Scheme (WiSe)
www.wisescheme.org
- Responsible Visitor Guide:
www.visitscotland.org/business_support/sustainable_tourism.aspx
- Leave No Trace
www.lnt.org

BOX 5

The Law and Wildlife

Much of the wildlife in Scotland is protected by law. It is your responsibility as a tour operator to be familiar with these laws. A summary of some of the key elements are shown below, but this is not exhaustive in regard to actions or species. Reference should always be made to the legislation itself.

Examples of offences include:

- to take or keep any egg of a wild bird;
- to obstruct or prevent any wild bird from using its nest;
- to intentionally or recklessly harass any wild bird or take, damage, destroy or otherwise interfere with any nest habitually used by any wild bird included in Schedule 1 of the 1981 Act as amended;
- to intentionally or recklessly harass any bird or take, damage, destroy or otherwise interfere with the nest or nest sites of birds on schedule 1A of the 2004 Act (presently this only applies to the white tailed sea eagle);
- to deliberately or recklessly capture, kill, injure, disturb or harass any whale, dolphin, porpoise or basking shark;
- to deliberately or recklessly harass seals at a designated haul out site;
- to uproot any wild plant, unless this is accidental or permission has been given by the owner of occupier of the land
- to pick or destroy a specially protected plant
- to kill, injure, capture or disturb a specially protected animal or to commit a cruel act to any wild mammal.
- Specific laws also apply to badgers, bats, seals and deer.

If you see anyone intentionally or recklessly injuring, disturbing or harassing wildlife, the incident should be reported to the local Police Wildlife Liaison Officer with details such as vehicle/vessel type and registration as well as any photos or video footage.

For further information about wildlife and the law, refer to Scottish Natural Heritage at www.snh.org.uk/publications/on-line/wildlife/law

