

# Helping you produce a successful and compliant financial promotion

## Who is this checklist for?

This checklist is for advisers to save time and increase the likelihood of their financial promotion being approved by their compliance team first time.



Where this icon is used, you need to submit evidence along with the financial promotion you are asking approval for.

## Use this checklist for:

- Financial promotions
- Websites/webpages



A financial promotion is defined as 'an invitation or inducement to engage in investment activity'. This includes engaging with any financial service including mortgages, pensions and insurance.

A call-to-action button (e.g. contact us) is not the only trigger. Your item could also be a financial promotion if it includes:

- 1. An inducement** – something that persuades or leads someone to do something.
- 2. An invitation** – the action of inviting someone to do something.
- 3. Terminology/general sales pitch** – i.e. the item is promoting your business.

## Don't use this checklist for:

- Stationery, incentives, or rewards for advisers or clients. We have a special checklist for stationery.
- Direct offers. This is where you enter a 'controlled agreement' with another person. Read more [here](#). Pages 71-73
- Image ads – you only need to send these to us the first time you use them. An image ad is where you're simply making customers aware of your brand and giving factual information about your service areas and contact details.

Read more [here](#).

The following items do not need compliance approval:

- Non-business communications which aren't connected to Quilter and don't fit the definition of a financial promotion.

Read more [here](#).

Use the checklist below to get on track to having your promotional item signed-off first time. You can click the check boxes to track your progress.

## Getting the basics right



I have provided the item in its final format.

We need to see the item in the same way as a client will see it, so we will need to see a draft design of an ad, social media post or a test webpage. If this isn't possible, please let us know why and when you will be able to provide it.

You can send us a live social media profile but please don't post on this until the profile has been approved.

**Top tip:** If you're paying to have your financial promotion professionally produced, such as a video, to avoid unnecessary costs we recommend submitting a script/draft for review first.



I have opted to add a regulatory statement.

**Top tip:** A regulatory statement is not required on a financial promotion, but if you opt to include one, please use the one from your pre-approved letterhead.

Financial promotions which are letters or emails need to be sent out on an approved letterhead/email footer which does contain the regulatory statement.

Your regulatory statement should look like this: *<AR NAME> is an appointed representative of <AR APPOINTED PRINCIPAL/S> which <IS/ARE> authorised and regulated by the Financial Conduct Authority. Or <Trading Name> is a trading name of <Registered Name> who is an appointed representative of <AR Appointed Principal/s> which <is/are> authorised and regulated by the Financial Conduct Authority.*



If I have chosen to add a regulatory statement, and my financial promotion includes services that are not regulated, I have also added the appropriate risk warning explaining this in a clear and visible place.

**Top tip:** You can avoid needing to include the risk warning for unregulated services by not including your regulatory statement (this is optional).

Services that are not regulated by the Financial Conduct Authority include: will writing, trusts, taxation advice, estate planning, inheritance tax planning, Powers of Attorney, holiday let mortgages, some buy to let mortgages, HMOS, legal services, conveyancing, bridging finance, commercial mortgages, employee benefits, auto enrolment, and offshore mortgages.



I have added the adviser's name and contact details, and this is in line with Quilter Financial Planning's records (this is needed for personalised financial promotions but not for social media posts).



You should include a point of contact, for example an address and phone number. You should refer to any specialisms, making sure they meet [Quilter Financial Planning criteria](#).

### Highlighting the expertise of you and your firm

I have added my firm's name or trading style.



Your trading style is declared and can be found on the FCA register.

If I've talked about what type of advice I give, I've used the terms 'restricted', 'independent', and 'whole of market' correctly.

**Top tip:** The correct term for mortgages is 'whole of market for mortgages,' 'whole of market mortgage adviser' or 'access to the whole of market for mortgages'. You **cannot say** you have '**access to the whole of the mortgage market**'.

Here's a reminder of who can use each term:

- Independent: independent advisers only.
- Restricted: restricted advisers only.
- Whole of market for mortgages: all advisers who hold a mortgage qualification.
- Whole of market for protection: all advisers who hold a protection license.



I/my firm has the right qualifications and licences. Where I've mentioned my qualifications, the titles of these are correct and I have membership or official permission to use them .

If you have not already sent evidence of your qualifications and licences to Quilter Financial Planning, please attach them with this request and we will upload them onto Worksmart for future reference.

If you do not have the right qualifications and licences, you need to make it clear that this business is by referral only and the information is for guidance/educational purposes. Otherwise, if you can't answer 'yes' to the above statements, these qualifications should be removed from your financial promotion. For more information visit our membership and designation guide [here](#).



### Making sure your promotion is balanced and any risks are clear

Where needed, I have added the relevant, correct risk warnings and these are prominent, on separate lines, and at least the same size as the main body of the text. Where I am promoting a high-risk product, I have made it clear that the risk is higher and ensured that the client can understand this.

Risk warnings are likely to be needed when the business being promoted carries an inherent or high risk (such as pension transfers), or when the promotion focuses too much on benefits without adequately outlining the risks. Make sure the reader understands the risks involved in the product or service, e.g., that capital is at risk.

To save time, please read the guidance [here](#) to make sure you've added the right risk warnings. Please also read the guidance available on [Prominence of risk warnings](#).



My financial promotion doesn't mislead people around what's on offer. I am confident the item is fair, clear, and not misleading, and that the content is balanced.

You need to make sure your promotion creates the right impression, the data is accurate, and the services covered are accurate. Here are some examples of misleading content:

- Use of superlative words, such as 'maximise', 'best' or 'cheapest' - these words should be avoided as it's almost impossible to prove them.
- Suggesting to clients that you are offering free advice when they will pay for it indirectly or at a later date. You can say 'free initial consultation' or 'free initial meeting'.
- Inaccurate representation of an adviser's experience or firm size, to make these sound more impressive.
- Promotions suggesting Quilter Financial Planning offers bridging finance, commercial mortgages or secured loans (these products are by referral only and if mentioned it must be clear e.g., commercial mortgages are by referral only).
- If you say you have access to exclusive mortgages or deals, it must be clear this is through being part of the Quilter Financial Planning Network.





I have checked that all statistics and figures are up to date, and have provided evidence of this.

Make sure you can back up any claims and use realistic figures, i.e. don't quote an unrealistic insurance premium, or 'cherry pick' data that shows an unrealistic or misleading timeframe.

✘ Don't use sites such as comparison sites and Wikipedia as these:

- are not a credible source
- may change frequently
- may include general inaccuracies.

✔ Remember consumers must be able to easily verify what is being claimed.

**Top tip:** To save time getting your approval, please ensure you signpost where the source evidence can be found, e.g. the page number of the document or an exact linked page.



## Ensuring your promotion is lawful

I am confident that my item is not breaking any copyright infringement laws.

You must have permission to use any images and logos that do not belong to you. Please be aware the compliance team only reviews items from an advertising and marketing regulatory perspective and does not cover copyright infringement laws.



I am confident this incentive is not breaching data protection and I have considered GDPR and PECR laws.

It's important to consider how clients' data is handled, including the details of clients who may respond to your financial promotion. Please be aware the compliance team does not cover data protection laws. For further guidance please visit the Data Protection Hub [here](#).



If you've ticked YES to all the questions so far, you are on track to having your promotional item signed-off first time.

Carry on for further guidance on producing compliant financial promotions and websites, to increase your chances of approval even further.

*Your compliance team will consider the following areas when reviewing your item. Make sure you do too, and the approval process will be much easier.*

### Content-specific checks

**If the item refers to an 'other business interest' (OBI):** I have included all relevant risk warnings for the other business interest, and it's recorded on my OBI register.

Here's an example of an appropriate risk warning: *Will writing is not part of the Quilter Financial Planning offering and is offered in our right. Quilter Financial Planning accepts no responsibility for this aspect of our business.*

You can refer to an unregulated other business interest (OBI), such as will writing, but you cannot refer to any other regulated business interests, such as a non-network business including a directly authorised firm or an AR within another network. If it isn't recorded on your OBI register, contact the risk management team for further guidance and provide the email to the compliance team for awareness.



**If the item refers to an introducer:** I have made it clear that the business will be referred, and I have recorded it in the introducer register.

If it isn't recorded on the introducer register, please contact the introducer team for further guidance and provide the email to the compliance team for awareness.



**If the item contains testimonials:** I have the consent of the person giving the testimonial and have provided evidence of this. I have made sure the person cannot be identified in the copy or via any photos used.

Do not include the full name, location, age, employer's/business details, children's names/images. Make sure photos don't include any identifiable details, ie identifiable landmark or car registration.

You can use photos of your own children. You can also use stock photography.



Essential checks all items

Further checks we recommend

Additional checks for websites only

## Appealing to a broad range of clients

I have considered how vulnerable clients will view this website/financial promotion, and have used language they will understand.

Consider mental health issues, people with hearing or visual impairment, and be mindful of gender sensitivity/diversity.

**Top tip:** Avoid abbreviations and always write the words out in full initially. For example: "buy to let (BTL) mortgage".



If you've ticked all these questions your financial promotion is now ready to be submitted for approval.  
If you are submitting a website, carry on for the final few checks.



*The following seven additional checks are for websites only.*

I have included my company registration details.



This is mandatory information and must be present on a website. [Find out more.](#)

I have included the Quilter Financial Planning privacy policy in a prominent place and it sits on each page of the site.



We recommend placing the privacy policy within the footer of the site. Make sure you are using the correct version of the privacy policy. Find it [here.](#)

In the privacy policy, I have updated all personalised information and all external links are working.



Where prompted, enter your Firm Name throughout the document. On page 6 of the policy, delete [Remove if no website]. Finally, complete the 'Who We Are Section' with the name of your business as it appears on your Terms of Business and by personalising it with your firm name and trading name (if applicable) and names of your appointed principals. This should look like this: <AR NAME> is an appointed representative of <AR APPOINTED PRINCIPAL/S>. **Or** <Trading Name> is a trading name of < Registered NAME> who is an appointed representative of <AR APPOINTED PRINCIPAL/S>.

I have included information on how to make a complaint, where a client can easily find it.



We recommend adding information on how to make a complaint in your 'contact us' page. You can find the wording you need to add [here.](#)



**I have included information on cookies that pop up when the page is opened.**

If cookies are non-essential, make sure the cookie banner allows clients to amend their cookie preference/opt out. Find more information [here](#).



**I can confirm that the website is encrypted.**

Any website that collects client information must be encrypted. Find out more.



**I have added a warning where I have included a link to a third party site and all individual links open up in a separate window.**

Your warning should look like this: *You are now departing from the regulatory site of <INSERT FIRM NAME>. Neither <INSERT FIRM NAME> nor Quilter Financial Planning are responsible for the accuracy of the information contained within the linked site.*

It's best practice for the warning to pop up when the link is clicked. This is not required on promotions approved by Quilter, e.g. personal social media accounts.



**I have included a UK trading statement in a prominent place.**

Your trading statement should look like this: *The guidance and/or information contained within the website is subject to UK regulatory regime and is therefore targeted at consumers based in the UK.*

We recommend putting your trading statement on your 'contact us' page or on the footer of your website. The word advice cannot be used within this statement.



## Extra checks if your website has a contact form for customers to complete

**If the website contains a data capture form:** I have prominently displayed the privacy notice so that it's near to the submit button.

It's best practice to have a tick box that says:

I agree to your privacy notice



**If the data capture form asks for special category data:** I have added a consent box and a link to the latest Quilter privacy policy.

Special category data is 'sensitive information', such as asking clients about their smoker status and health. Where this is included, it's best practice to have two tick boxes that say:

By clicking this box, you consent for [COMPANY NAME] to process the special category data provided to us via this data capture.

I agree to your privacy notice.



If you've ticked all these questions your website is now ready to be submitted for approval.