



REGULATORY GUIDANCE SUPPLEMENT

FINANCIAL PROMOTIONS

The following document provides guidance on using stationery, advertising, websites and social media of all types in respect of your business. Whilst we have tried to cover a wide range of topics and concerns, should you have any queries please contact the Financial Promotions team in the first instance for advice before proceeding. It is important that when using any of these mediums you remain vigilant at all times as to your responsibilities to ensure that you comply with the financial promotion rules. Please contact the team on financial.promotions@2plan.com if you have any questions.

2plan Financial Promotions Business Standards

Business Stationery

Business stationery, for example business letters, letterheads, or electronic equivalents (for example emails and other similar items) and websites are subject to certain requirements in terms of what they include.

To make sure your business stationery complies with all relevant regulatory and legal requirements, you will need to put in place appropriate procedures, covering areas such as:

- Statutory status disclosure
- Trading styles
- Business names and address
- Registration number and registered office (companies and LLPs)
- Names of directors, partners or members
- For websites: links to the Financial Ombudsman Service and, where appropriate, Online Dispute Resolution Platform
- Any commitment to green activities in any medium must include:
 - Sustainability objectives
 - Stewardship (activities expected and outcomes to achieve)

All stationery should be reviewed periodically to ensure it remains compliant with relevant requirements; this must be provided to the Financial Promotions team for review.

As a general guide we recommend that the following are always included on business stationery and other communication media:

- Full name of your firm
- Full address of your firm
- Telephone number of your firm
- Email address of your firm
- Website address of your firm
- FCA statutory status disclosure

Trading Names

Where your firm is using a trading name it must still be clear who the client is dealing with, the status disclosure should therefore be amended as follows:

2plan Adviser with a trading name:

Trading Name is a trading name of 2plan wealth management Ltd which is authorised and regulated by the Financial Conduct Authority. It is entered on the FCA register (www.fca.org.uk) under reference 461598.

Registered office: 2plan wealth management Ltd, 3rd Floor, Bridgewater Place, Water Lane, Leeds, LS11 5BZ. Registered in England and Wales Number: 05998270.

AR Firm with a trading name:

Trading Name is a trading name of **Ltd Company name** which is an appointed representative of 2plan wealth management Ltd which is authorised and regulated by the Financial Conduct Authority. **Ltd Company name** is entered on the FCA register (www.FCA.org.uk) under no. **XXXXXX**.

Registered office: **ADDRESS**. Registered in **England and Wales** Number: **XXXXXXXX**

Sole Trader with a trading name:

Trading Name is a trading name of **Sole Trader Registered Name** which is an appointed representative of 2plan wealth management Ltd which is authorised and regulated by the Financial Conduct Authority. **Trading Name** is entered on the FCA register (www.FCA.org.uk) under no. **XXXXXX**.

Office address: **ADDRESS**.

Appointed representatives

The stationery should include the regulatory disclosure information too.

The disclosure should therefore be shown as follows:

AR

Ltd Company name is an appointed representative of 2plan wealth management Ltd which is authorised and regulated by the Financial Conduct Authority. **Ltd Company name** is entered on the FCA register (www.FCA.org.uk) under no. **XXXXXX**.

Registered office: **ADDRESS**. Registered in **England and Wales** Number: **XXXXXXXX**

Sole Trader:

Sole Trader Registered Name is an appointed representative of 2plan wealth management Ltd which is authorised and regulated by the Financial Conduct Authority. **Sole Trader Registered Name** is entered on the FCA register (www.FCA.org.uk) under no. **XXXXXX**.

Office address: **ADDRESS**.

Recommendations for business cards

The following information on your business cards must be clearly displayed:

1. Individual's name

2. Job title

Use an accurate description of the position. If someone is not authorised. For example, an introducer, or is limited to a specific area of advice, the title should not suggest that they can give advice or that their scope is broader than it is.

3. Qualifications

Use relevant qualifications.

4. Main contact details

For example telephone number and email address.

5. The office address

Where the individual works from

Legal requirements for your business stationery

The legal requirements on information you must include on your business stationery, will differ depending on whether your business is a company, a partnership or whether you are a sole trader.

Here's a summary of the requirements for each business type.

Companies and Limited Liability Partnerships (LLP)	<ul style="list-style-type: none">• Company name and status, for example Ltd or Plc or LLP name and status, for example LLP• The registered office address. Note this should be identifiable as the registered office, for example Registered Office:• The correspondence address (if different to the registered office address)• The company or LLP registration number• The place of registration, for example Registered in England and Wales• Directors' or Members' names - you do not need to name all of the directors or members of an LLP, but if you name one or more, then you need to name all of them, using their first name or initial and their surname
Partnerships	<ul style="list-style-type: none">• The main business address• Names of all partners or where a list of partners may be inspected
Sole traders	<ul style="list-style-type: none">• Business name if one is used• Name of the proprietor• The main business address

Disclosure requirements for emails and websites

Under the Companies Act 2006 all companies and LLPs are required to include Companies House disclosure requirements for business stationery on all company websites and business emails.

The disclosure does not need to appear on every page of a website, and it could be added to a 'Contacts' or 'Legal Info' page, provided it is accessible.

We require that you include the following information on your email footer:

1. Firm name
2. Business Logo

3. Designation

4. Main contact details (telephone number and email address).

5. The office address

As it may be difficult to establish what constitutes a 'business' email we recommend including the following information as a standard footer on all external emails.

CONFIDENTIALITY NOTICE: this communication, and the information that it contains (a) is intended for the person(s) or organisation(s) named above and for no other person or organisation and (b) may be confidential, legally privileged and protected by law. Unauthorised use, copying or disclosure of any of it may be unlawful. If you have received this communication in error, please contact us immediately by telephone. Please note that neither 2plan wealth management Ltd nor the sender accepts any responsibility for viruses and it is your responsibility to scan attachments (if any). No contracts may be concluded on behalf of 2plan wealth management Ltd by means of email communications.

Websites are a form of financial promotion and must therefore comply with FCA rules on financial promotions.

Ensuring your site is secure:

It is important that your site has the relevant protections in place to ensure that clients are safe to use your site.

Mandatory regulated documentation:

There are 6 documents to be added to your side as quick-links (accessible from every Page, usually placed in the footer along with your regulatory wording: You find these attached with this document.

1. privacy policy
2. best execution policy
3. client classification
4. conflicts of interest policy
5. your guide to making a complaint
6. your PCA and MPA* (*if applicable)

Regulatory Wording:**Example:**

At the footer of all web pages, it is important that you have the following:

- 1) Registered Address
- 2) Business Number
- 3) FCA number and confirmation of authorisation

FCA Disclaimer:

The disclaimer you will need to use on your web footer should be as per below:

Your Business is an appointed representative of 2plan wealth management Ltd which is authorised and regulated by the Financial Conduct Authority. Your business is entered on the FCA register (www.FCA.org.uk) under no. Your FCA no.

Registered office: Your Registered Address.

Key considerations when adding your regulatory wording:

- Your firm's name. If this differs from your trading name and any such difference should be explained, for example 'XYZ.com is the trading name of XYZ Enterprises Limited which is regulated by the Financial Conduct Authority.'
- Your firm's address at which it is established, for example your registered office address. A PO Box is unlikely to suffice as an address for these purposes.
- Your firm's contact details, including its e-mail address. Note that it is not sufficient to simply include a 'contact us' form.
- If your firm is a professional firm, for example a solicitor or accountant, you should also consider the requirements of your professional body.
- Where your firm undertakes an activity that is subject to VAT, its VAT number.

Financial Ombudsman Service:

As an FCA authorised and regulated firm, where you have a website, you are required to

include a link to the Financial Ombudsman Service (FOS) website. This should be placed on any pages where regulated products are mentioned.

FOS Disclaimer:

The Financial Ombudsman Service is available to mediate individual complaints that clients and financial services businesses aren't able to resolve themselves. To contact the Financial Ombudsman Service please visit:

<http://www.financial-ombudsman.org.uk/contact/index.html>

FSCS:

Any reference to the FSCS must be clear, fair and not misleading, and limited to a factual reference only. Where you make reference to the FSCS on your site it is good practice to make clear the circumstances in which the FSCS does and does not apply to each product.

FSCS Website:

<https://www.fscs.org.uk/>

Investment:

We are covered by the Financial Services Compensation Scheme, which covers a maximum limit of £85,000

Insurance:

We are covered by the Financial Services Compensation Scheme (FSCS), which covers for 90% of a claim, without any upper limit.

Non-Regulated Products:

It is important to stipulate the fact these products are not covered in the same way regulated products are;

Any reference to the FSCS must be clear, fair and not misleading, and limited to a factual reference only. Where you make reference to the FSCS in a financial promotion it is good practice to make clear the circumstances in which the FSCS does and does not apply.

Non-Regulated Products Disclaimer:

Such schemes will not benefit from access to UK customer protection schemes such as the Financial Services Compensation Scheme.

Client testimonials:

When using client testimonials on the website you the following need to be displayed with a name, location and date.

Example:

Name – Mr P, Derek K, Jeremih Sands etc.

Location – town, city or county

Date – needs to be in the past 12 months. If not, then written client permission needs to be sought to state that their words still stand, and they are happy for their review to be displayed (this needs to

be kept on file and added to your financial promotions register).

Case Studies

Case studies are allowed but it must be made clear if they are based on a real client or an example only.

Annual Budget information:

Any Tax or budget information must be up to date and the date of the document clearly displayed

FINANCIAL PROMOTIONS

The basics – Your regulatory requirements

All client communications and financial promotions must be fair, clear and not misleading. This means that they should provide a balanced impression of the relevant products or services, and not disguise or diminish important warnings or statements.

Certain financial promotions may need to comply with specific FCA rules, depending on the product or service they are promoting. The promotion of financial products can understandably have a significant impact on those who see them by influencing their decision to buy a product or services, therefore the rules are often particularly prescriptive, however it is mandatory that all financial promotion materials are submitted to the financial promotions team for review before use.

Financial promotion compliance is important. Misleading promotions can be a source of client complaints and is now the first step in Consumer Duty compliance. This means that:

- Your promotions should support and enable clients to make informed decisions about financial products and services
- Clients should be given the information they need, at the right time, and presented in a way they can understand

The FCA has the power to ban promotions if they don't meet its requirements so there's a reputational risk from publishing non-compliant promotions. If managed well however, an effective and compliant financial promotions process can be a cost-effective way to obtain new business.

To make sure you are meeting your regulatory requirements when it comes to financial promotions it's important to have appropriate procedures in relation to financial promotions, which ensure:

- All staff know what constitutes a financial promotion and the procedures to follow if a promotion is to take place.
- People designing and approving promotions understand the relevant rules
- Promotions are clear, fair and not misleading and continue to be so, over time

What is a 'financial promotion'?

In simple terms, a financial promotion is any communication which is an invitation or inducement to engage in a financial activity. Financial promotions come in many forms, including:

- Advertising – in print, online or on radio / TV
- Marketing brochures, literature and emails
- Sales aids – for example, presentations
- Website content
- Social media posts
- Telemarketing activities

Types of promotion

Financial promotions can be categorised as being either 'real time' or 'non-real time' financial promotions.

Real time

A real time financial promotion is one which is communicated in the course of a personal visit, telephone conversation or other interactive dialogue e.g., client meetings.

Non-real time

A non-real time financial promotion is any financial promotion that is not a real time financial promotion e.g. Adverts, brochures, letters, social media posts, digital marketing and websites.

Real time and non-real time promotions can be further sub divided into two further categories:

- Solicited – a promotion expressly requested or initiated by the recipient.
- Unsolicited - a promotion without the express invitation of the recipient, often referred to as 'cold calling'. Cold calling is a heavily restricted activity and not permitted at 2plan.

Investments and mortgages

Image advertising i.e., promotions which only consists one or more of the following:

- The name of your firm (or your appointed representatives)
- A logo
- A contact point (address (including an e-mail address), telephone or facsimile number)
- A reference to the types of regulated activities provided by your firm (or your appointed representative's)

Insurance

No specific exemptions apply and therefore the underlying fair, clear and not misleading applies to all insurance promotions. Any communication would be expected to contain a minimum amount of information from which a client can make a judgement on the information provided.

Credit broking

Similar exemptions for 'image advertising' apply as for investments and mortgages however, it is possible for a name or logo to trigger the requirement to include a representative APR.

This may occur where a name or logo conveys additional product or cost-related information. When relying on the image advertising exemption you should therefore avoid using any names, logos or addresses which attempt to convey additional product or cost-related information.

Exempt generic promotions – referring to the FCA

Where promotions are made on a generic basis, for example image advertising, it's not necessary to state that your firm is 'authorised and regulated by the Financial Conduct Authority'.

However, if the advertisement does include the regulatory statement and includes any references to non FCA regulated products or services, the promotion must make it clear which products or services are or are not regulated by the FCA.

Non mass Market Investments

Promoting non mass market investments is prohibited under the terms of 2plan's financial promotions policy.

General requirements to follow for all financial promotions

The following requirements apply to all financial promotions irrespective of the products or services that it might relate to or the type of client you are dealing with.

- It must include the name of your firm. This may be a trading name or a shortened version as long as this clearly identifies your firm.
- It must be accurate and give a fair and prominent indication of any relevant risks when referencing any potential benefits of your services or products.
- It must be sufficient for and presented in a way that is likely to be understood by the average member of the group to whom it is directed, or by whom it is likely to be received.
- It must not disguise, diminish or obscure important items, statements or warnings.
- It must use a font size for the relevant risks that's at least the same size to the prominent font size used throughout the communication – the layout must also ensure that the information is prominent.
- It must be consistently presented in the same language as all other information, or any marketing material, provided to clients.
- It must be up to date and relevant to the means of communication used.

Clear, fair and not misleading

You must ensure that any communication to a client, or a financial promotion is 'fair, clear and not misleading'.

This requirement must be applied in a way that's appropriate and proportionate, taking into account:

- The means of the communication in question
- The information the communication is intended to convey
- If relevant, the nature of the client and their business

For example, a communication made to a professional client would not necessarily need to include

the same information as a communication made to a retail client.

Here are some examples of items failing to satisfy requirement to be clear, fair and not misleading:

- A comment that there are 'no initial charges' or 'no entry or redemption charges' where the bid price is not the same as the offer price, unless the statement is qualified
- The use of the phrase 'frozen pension' ('preserved pension' is a recommended alternative)
- A comparison between units in a regulated collective investment scheme and those in an unregulated collective investment scheme
- Misleading a customer as to the availability of a particular credit product

References to the FCA

You must not refer to the FCA in any communication that would indicate or suggest that your services or products have been endorsed or approved by them.

If your promotion includes the regulatory statement that your firm is 'authorised and regulated by the Financial Conduct Authority' and includes any references to non FCA regulated products or services, the promotion must make it clear which products or services are or are not regulated by the FCA.

Requirements when promoting investments

In addition to the general requirements referred these are additional considerations you need to take into account where the promotion relates to investment products or services.

These include:

- The promotion must contain a fair and adequate description of:
 - The nature of the investment or service
 - The commitment required
 - The risks involved
 - If it relates to an investment or service of another firm, then the other firm's name should be contained in the promotion
- For a product or service that places a client's capital at risk, this must be made clear.
- For a promotion that quotes a yield figure that the promotion gives a balanced impression of both the short- and long-term prospects for the investment.
- When promoting an investment or service with a complex charging structure, or where your firm will receive more than one element of remuneration, you must include the information necessary to ensure that it is fair, clear and not misleading and contains sufficient information taking into account the needs of the recipients.
- Where a promotion offers products or services not produced by your firm, it must give a fair, clear and not misleading impression of the producer of the product or the manager of the underlying investments.
- A promotion containing or offering advice on investments on retail investment products must disclose information to show whether the advice is independent or restricted and where restricted – the basis of any restriction.
- The description of an investment as 'guaranteed' should only be used if there is a legally enforceable arrangement with a third party to meet the claim in full. In such cases the client should be given full details about the guarantor and the guarantee prior to entering into the transaction. For example, a guarantee to the directors of an Enterprise Investment Scheme (EIS) is not the same as a guarantee to a person investing in the EIS.

- The 'return' on an investment is the gain or profit; it must not include the original capital invested.
- If the promotion relates to with profits, you should avoid using the term 'your returns are sheltered from the daily ups and downs of the stock market'. This can give the impression that your client's capital is not at risk.
- If the promotion is for a non-packaged product, disclosure of any material interests or connections (possible or actual holdings or providing advice/investment services) in regards the investment.
- Consideration should be given to the individual risks/rewards of the product/service to be promoted.
- Specific requirements apply when including information about past performance, these are covered below.

If past performance is included in a communication or financial promotion it must be in the following format:

- The indication of past performance is not the most prominent feature of the communication.
- The figures include at least the last 5 discrete years or all data since it was established. Past performance figures may not be used where a minimum of 1 complete year cannot be provided.
- The promotion includes reference to the source and date.
- A prominent warning that past performance is not a reliable indicator of future results is included.
- Where the indication is based on gross performance, the effect of commissions, fees or other charges are disclosed.
- Where the indication is based on a currency that is not pounds sterling, the currency is clearly stated, together with a warning that the return may increase or decrease as a result of currency fluctuations.

Although it's not mandatory to present this information in a tabular format, we recommend doing so

It should be noted that the Markets in Financial Instruments Directive (MiFID) requirements for performance data applies to MiFID business for 'all information', in a way that is appropriate and proportionate. Hence it applies to all communications and not just promotions.

Future performance

When providing information on future performance, the following conditions must be satisfied:

- The information is not based on and does not refer to simulated past performance
- The information is based on reasonable assumptions supported by objective data
- Where the information is based on gross performance, the effect of commissions, fees or other charges is disclosed
- The information is based on performance scenarios in different market conditions (both negative and positive scenarios) and reflects the nature and risks of the specific types of products included in the analysis
- The information contains a prominent warning that such forecasts are not a reliable indicator of future performance

Digital and Social Media

The basics – Using social media to build brand awareness.

Using social media and other forms of digital communication can be an effective way of helping to build brand awareness and advertising your firm's services. It is important to remember however, that depending on their content, social media posts and similar communications may be financial promotions in their own right and therefore subject to the FCA's financial promotions rules.

A financial promotion is defined as a communication that is:

'An invitation or inducement to engage in a financial activity in the course of business'.

The FCA's general approach to financial promotions is 'media neutral' and the rules generally apply regardless of the way a promotion is being communicated.

Social media covers a range of websites and applications that enable users to create and share content or participate in social networking. They include:

- Social networks (TikTok, Instagram, Meta, LinkedIn, etc.)
- Blogs
- Micro blogs
- Online forums
- Image & video sharing platforms (YouTube, Instagram, Pinterest, etc.)

A key issue with social media content is that it may be constrained by space or character limitations. Also, the very nature of social media does not always lend itself to the inclusion of the regulatory warnings etc. often required in financial promotions.

A common misconception is that communications made via digital media is 'image advertising' and is therefore exempt from the financial promotions rules.

In order for a communication or promotion to be deemed 'image advertising' it must be clear, fair and not misleading and must only include the following:

- The name of your firm
- A logo
- A contact point (address (including an email address), telephone or link to the relevant site page)
- A reference to the types of regulated activities provided by your firm or to your fees or commissions and 'link in bio' leading to the regulatory information and or 'workings' (i.e. if costs are estimated for a life insurance policy, 'example is based on 40 YO business owner...')

Carrying out financial promotions over social media

The FCA treats social media communications as 'non-real time' promotions.

Digital media communications must be subject to the same sign off and record keeping processes as for other types of communication and therefore must be submitted for review to the Financial Promotions team prior to posting.

Where communications are character limited, the FCA suggests inserting images such as 'infographics' which will enable relatively unrestricted information to be included within the promotion. The image must however be compliant in itself. However, one factor to bear in mind is that social media users may be able to switch off the display of images so that the image only appears as a link. This means that a risk warning or other information required by the rules cannot appear solely within the image. This is also relevant for and videos or 'shorts', the link will either be made available in the description or a 'link in bio' must be available with the necessary information available.

Therefore, it must signpost to a website or other location which includes all the relevant information and warnings. Again, the signposted information itself must still be standalone compliant (EG, the web page just have been submitted and signed off).

E.g.: In a business Instagram profile, having a 'Link in bio', which leads to the page with the relevant regulatory information.

The following example illustrates this:

- a. Compliant statement - 'To see our current UK equity fund range, follow the link in bio
- b. Non-compliant statement - To see our top performing UK equity fund, go to www...'

Statement a. is compliant but Statement b. is non-compliant as the words 'top performing' introduces an element of inducement. This creates a promotion and triggers requirements for a past performance warning etc.

You should consider whether sometimes it might be too difficult to promote something complex with the right warnings via social media, especially where the communication is limited to a certain number of characters.

Sharing and forwarding communications over social media

One issue with social media is that a communication can reach a wide audience quickly as information is shared, forwarded or re-tweeted. With this in mind, you need to ensure that the original communication remains fair, clear and not misleading even if it ends up being viewed by someone it was not intended for.

The FCA provides the following guidance about responsibility for shared and forwarded communications.

A recipient of a communication shares or forwards it to others

Responsibility for the sharing lies with the communicator, so the original firm would not be responsible. This means that you need to be careful when retweeting or sharing something which qualifies as a financial promotion.

Any rule breaches in the original communication would still however be the responsibility of the originating firm, and not the sharer.

Therefore, if you are sharing something from 2plan, you will be aware that this will have been signed off prior to posting.

A posting intended for another authorised firm is subsequently forwarded to a retail client

The FCA suggests that firms need to use labelling and targeting of communications to mitigate the risk of this happening. The FCA also points out that this issue does not solely affect social media (for example printed literature can also be distributed beyond its original intended audience).

A firm shares a client's posting

Whether or not it is actually a financial promotion will depend on the content. For example, a review expressing satisfaction with the firm's service will not be a promotion but if the post comments on or endorses the benefits of a regulated product or service, then the sharing or forwarding by the firm will constitute a promotion by that firm. In this scenario the firm is responsible if it communicates the retweet, even it did not generate the original content of the communication.

Common issues you may encounter when promoting your business on social media

Here are some of the issues often identified,

- Prominence of required information – issues of prominence both in terms of text size (too small) and 'proximity' of the required information (for example risk warnings being lost within surrounding text or appearing too far away from the information to which it relates)
- Financial products being referred to which are unlikely to be suitable for the general audience likely to receive the communication
- The reusing of information that is no longer current
- Using wording that turns general commentary text into a financial promotion
- The addition of 'off the cuff' comments which can significantly alter the nature of the original communication
- Lack of 'balance' where the specific benefits have been referred to regarding the subject of the promotion, without sufficient mention of any potential disadvantages.
- Failure to provide past performance and performance risk warnings when required by the FCA's Conduct of Business Sourcebook (COBS) rules

Tips on using digital and social media

Where you are using digital or social media as part of your business consider the following:

- It's important to put in place a social media policy which applies to all staff. The policy should include, amongst other things, that staff should:
 - Be responsible for what they write
 - Be aware of the target audience
 - Be aware of implications where the communication is a financial promotion, for example meeting the relevant rules including approval

- Respect copyright and fair use
 - Protect confidential information and the intellectual property of your firm
 - Confirm that disciplinary action may take place if the social media policy is breached
- Ensure that any digital media used is regularly reviewed to make sure the information is up to date and correct.
- Have a social media plan in place either as a standalone document or part of your firm's overall business plan. This should include confirmation of:
 - The social media your firm is going to use, are they a suitable medium and why?
 - Do any of the facilities on the social media need managing/disabling?
 - What sites are going to be used?
 - Who is going to be responsible for the content of the social media?
 - Who is responsible for overseeing the implementation of the social media?
 - How often will the firm publish posts, tweets and blogs etc?
 - What subjects should be discussed – taking into account the target audience?
 - Whether staff training is required on financial promotion rules and using digital media?
- Ensure that appropriate risk information is clearly displayed and on a standalone basis can meet any relevant financial promotions requirements.
- Ensure that the use of digital media is identified as one of your firm's business risks and confirm how it is to be mitigated, for example in your firm's compliance monitoring programme.
- Ensure that your firm's social media policy is reviewed regularly, for example at least on an annual basis

Websites

The basics – Using a website to provide information

Websites themselves are financial promotions, and so should comply with the relevant FCA rules for this area and contain the information required in any other stand-alone financial promotion. For example, all promotions regardless of content must be fair, clear and not misleading and carry the appropriate risk warnings.

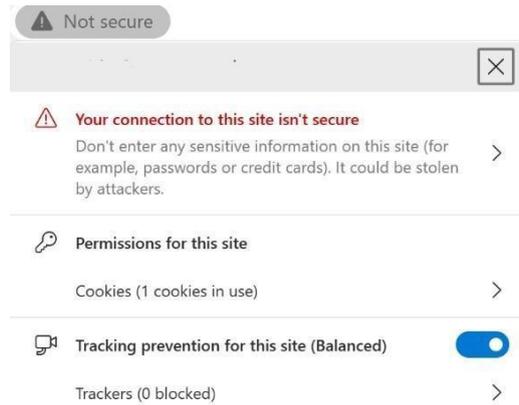
You must tell people if your website uses cookies, and clearly explain what the cookies do and why. You must also get the user's consent. Consent must be actively and clearly given. The only exception to this rule is for cookies that are strictly necessary to the functioning of the website.

Because of the structure of websites, clients do not always interact with them in the same way as they would with a promotional document on paper.

While clients may flick through a brochure and read sections out of order, there is usually a clear 'route' through the material and if they follow this, reading the brochure from start to finish, they should receive all the necessary information in a coherent way. With a website however, there is often no clear single route through the site and consumers explore it in a different way. When developing a website it's important to design it in a way that is clear and easily navigated.

Ensuring your site is secure:

Not Secure:



Secure:



It is important that your site has the relevant protections in place to ensure that clients are safe to use your site.

Mandatory regulated documentation:

There are 6 documents to be added to your side as quick-links (accessible from every Page, usually placed in the footer along with your regulatory wording: You find these attached with this document.

Registered office: 19 Eland Road, Leeds, LS11 0ES.
Registered in England and Wales under number 1234567.
Eland Financial Planning Ltd is an appointed representative of 2plan wealth management Ltd, which is authorised and regulated by the Financial Conduct Authority. Eland Financial Ltd is entered on the FCA register (www.fca.org.uk) under reference number 123456.

2plan.com

FCA Disclaimer

1. privacy policy
2. best execution policy
3. client classification
4. conflicts of interest policy
5. your guide to making a complaint
6. your PCA / MPA* (*if applicable)

Regulatory Wording:

Example:

At the footer of all web pages it is important that you have the following:

1. Registered Address
2. Business Number
3. FCA number and confirmation of authorisation

FCA Disclaimer:

The disclaimer you will need to use on your web footer should be as per below:

N.B. Please choose the appropriate regulatory disclaimer wording – see Pages 2 and 3 above for further examples.

Key considerations when adding your regulatory wording:

- Your firm's name. If this differs from your trading name and any such difference should be explained, for example 'XYZ.com is the trading name of XYZ Enterprises Limited which is regulated by the Financial conduct Authority.'
- Your firm's address at which it is established, for example your registered office address. A PO Box is unlikely to suffice as an address for these purposes.
- Your firm's contact details, including its e-mail address. Note that it is not sufficient to simply include a 'contact us' form.
- If your firm is a professional firm, for example a solicitor or accountant, you should also consider the requirements of your professional body.
- Where your firm undertakes an activity that is subject to VAT, its VAT number.

Financial Ombudsman Service:

As an FCA authorised and regulated firm, where you have a website, you are required to include a link to the Financial Ombudsman Service (FOS) website. This should be placed on any pages where regulated products are mentioned.

Financial Ombudsman Service Disclaimer:

The Financial Ombudsman Service is available to mediate individual complaints that clients and financial services businesses aren't able to resolve themselves. To contact the Financial Ombudsman Service please visit:

<http://www.financial-ombudsman.org.uk/contact/index.html>

FSCS:

Any reference to the FSCS must be clear, fair and not misleading, and limited to a factual reference only. Where you make reference to the FSCS on your site it is good practice to make clear the circumstances in which the FSCS does and does not apply to each product.

FSCS Website:

<https://www.fscs.org.uk/>

Investment:

We are covered by the Financial Services Compensation Scheme, which covers a maximum limit of £85,000.

Insurance:

We are covered by the Financial Services Compensation Scheme (FSCS), which covers for 90% of a claim, without any upper limit.

Non-Regulated Products:

It is important to stipulate the fact these products are not covered in the same way regulated products are,

Any reference to the FSCS must be clear, fair and not misleading, and limited to a factual reference only. Where you make reference to the FSCS in a financial promotion it is good practice to make clear the circumstances in which the FSCS does and does not apply.

Non-Regulated Products Disclaimer:

Such schemes will not benefit from access to UK customer protection schemes such as the Financial Services Compensation Scheme.

Client testimonials:

When using client testimonials on the website you the following need to be displayed with a name, location and date.

Example:

Name – Mr P, Derek K, Jeremih Sands etc.

Location – town, city or county

Date – needs to be in the past 12 months. If not, then written client permission needs to be sought to state that their words still stand, and they are happy for their review to be displayed (this needs to be kept on file and added to your financial promotions register).

Case Studies

Case studies are allowed but it must be made clear if they are based on a real client or an example only.

Annual Budget information:

Any Tax or budget information must be up to date and the date of the document clearly displayed.

Greenwashing**1. Introduction**

Sustainable Disclosure Requirements (SDR): The FCA has proposed new rules that require asset managers, life insurers, and FCA-regulated pension providers to make standardized disclosures about the sustainability of their investment products. This includes the following key areas:

- Anti Greenwashing Rules:
 - All FCA authorised firms are to reinforce that sustainability related claims are 'Fair Clear and not Misleading'.
- 4 Labels:
 - To help consumers navigate the product landscape
 - To enhance consumer trust
- Naming and Marketing Rules

- For investment products
- To ensure the use of sustainability related terms is accurate.
- Consumer Facing Information:
 - To provide consumers with better, more accessible information.
 - Allow to understand the key sustainability features of a product.
- Detailed information:
 - In pre-sales – meetings and Financial Promotions
 - Ongoing product level
 - Entity level disclosures
 - At all levels of accessibility (consumer/ institutional investors)
- Requirements for Distribution
 - Ensure product level information is available to consumers.

1.1 Expectations

The FCA’s new requirements are set out to allow the consumer to be more informed when making their decisions, it is therefore required that firms and advisors focus on;

Preventing Misleading Marketing: The FCA emphasizes that firms must ensure their marketing materials are clear, fair, and not misleading, particularly when making sustainability claims. This includes:

Accurate representation of the sustainability characteristics and objectives of financial products.
 Avoiding overstatement of the environmental benefits or impact of products.

Governance and Accountability: Firms are expected to have robust governance arrangements in place to oversee their sustainability claims and ensure compliance with the new rules. This includes:

Senior management accountability for ESG claims.

Ensuring that sustainability claims are supported by reliable data and evidence.

Enhanced Supervisory and Enforcement Approach: The FCA is strengthening its supervisory and enforcement efforts to identify and address instances of greenwashing. This includes:

With these areas, it has been made clear that there will be Increased scrutiny of firms' sustainability claims. Taking action against firms that make misleading or unsubstantiated claims about the sustainability of their products.

Furthermore, collaboration with Other Regulators has been agreed. The FCA is working closely with other regulators, both domestically and internationally, to ensure a coordinated approach to tackling greenwashing and promoting high standards of sustainability disclosures.

These measures are designed to protect investors from being misled by false sustainability claims and to ensure that capital flows towards genuinely sustainable investments. The FCA's approach is part of a broader effort to promote transparency, integrity, and trust in the financial markets, particularly in the growing area of sustainable finance.

1.2 Fund Focus

The regulation focuses on funds that are specifically marketed as being 'ESG' of some description. The key area being 'naming and marketing', rules allow the use of most sustainable related terms, so long as certain conditions are met.

2. Naming and Marketing:

The regulation highlights that funds need to be clearly explained in understandable terms for clients to make it clear as to the objectives of a fund in terms with the alignment to their ESG requirements. This has been highlighted in the following key areas:

- Labelled and non-labelled funds are in scope (*e.g.: anything that might mislead clients needs to be considered.*)
- 3 protected themes (only): Sustainability, sustainable and Impact
- Client Disclosures must be standalone and prominent (*specific, showing attributed*)
- 12 Monthly reviews to ensure all regulatory requirements are compliant.
- Entity level reporting to be consistent with TCFD (Governance, strategy, risk management) metrics and targets
- If online, links are made to the greenwashing rules.

3 The New Labels

The SDR has brought with it new clearly defined labels for funds. This to make it easier for the consumer to understand. They are as follows:

- **Sustainability Impact:**
 - Funds that are aiming to deliver specific, measurable impacts and outcomes
- **Sustainability Focus**
 - Funds that are already meeting sustainability standards and criteria (as documented) (*i.e.: holding 'good' companies/ impact funds*).
- **Sustainability Improvers:**
 - Funds holding companies working towards their betterment as defined
- **Sustainability Mixed Goals:**
 - If you want to invest across all 3 categories.

A. Qualifying Criteria

Funds must meet the general and specific criteria relating to that label on an ongoing basis.

Key Themes:

- Sustainability Objectives:
 - All products must have a sustainability objective to pursue positive environmental and/ or social outcomes as part of their investment objectives.

- Firms must disclose if pursuing the positive sustainability outcomes mat result in material outcomes.
- Investment Policy & Strategy:
 - At least 70% of the products assets must be invested in accordance with its sustainability objective.
 - With reference to a robust, evidence-based standard that is an absolute measure of environmental and/ or sustainability.
 - Firms must also identify and disclose any other assets held in products for other reasons (cash, derivatives etc).
- KPIs:
 - To measure progress against the sustainability objectives
 - Whole product or asset
- Resources & Governance:
 - There are appropriate resources, governance and organisational arrangements to support delivery of the sustainability objective.
- Stewardship:
 - Disclose the delivery of the sustainability objective.
 - Activities expected to take
 - Outcomes to achieve.
 - Escalation plan to be able to take action when assets don't demonstrate progress towards sustainability objective or 70% threshold out of sync.

B. Labelled funds - Why?

The objective behind that process is to increase the following:

- Helping clients with better transparency
- Requirement of at least 70% alignment to objectives now applies to all labels
- No assets can conflict with objectives
- Labelled funds to be registered online with the FCA
- Independent assessment can be internal or external for all labels, but must be separate from investment process.
- Impact Labels must be clear
- Annual checking fir Literature, appropriateness of labels 70% etc...
- Escalation plans for all labels
- Non-labelled funds require a 'statement' is they use any ESG related terms.

The Financial Promotions team will be happy to assist you in ensuring that anything you do post is compliant and where necessary includes all relevant risk warnings and disclosures. Please contact the team using financial.promotions@2plan.com for advice and guidance.

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Review Frequency	Annually
Location	Teams, adviser briefcase, business standards.

Revision History	Version	Date/Who	Notes
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V.1	May 2022	Documents Created and stored on 2plan server.
V1.1	May 2024	Document reviewed and updated Greenwashing update , Added. Also new Version Control at the end of document.