2025

Financial Services

Marketing Compliance Guide

Threats, trends and solutions

intelligencebank

Contents

Executive Summary

Marketing compliance leaders in Financial Services are under immense pressure to review more content than ever without sacrificing accuracy.

The volume of work, pressing deadlines, complex regulations and misalignment between Compliance and Marketing teams are the core reasons for this.

2025 promises even more pressure. Shifting customer demographics and behavior, increased competition, generative AI and increasing digital media spend are seeing the number of creative assets balloon - often with tighter review deadlines.

Meanwhile, the strain on compliance teams is intensified by evolving government regulations, heightened scrutiny and the constant risk of punitive action.

The good news is that it is possible to meet these challenges more effectively and to free up capacity while doing so. This guide will provide you with an overview of:

- Upcoming marketing compliance trends and threats
- Results from our recent research that gets to the heart of the issues faced by Marketing Compliance teams
- The practical solutions teams are using to help fast track the launch and management of legally approved assets
- Results from teams who have made the transformation

Disclaimer: This document is not intended as a substitute for legal advice. This report has been prepared using both public and private data by IntelligenceBank, a provider of software that helps companies stay on brand and adhere to regulatory compliance. Companies should seek professional legal and regulatory advice when establishing internal compliance protocols.

13 Critical Financial Marketing Compliance Trends & Threats

These trends and threats have the potential to undermine marketing compliance teams operating without an efficient workflow and review system.

1

Regulators use AI to detect compliance breaches, increasing the volume of warnings and penalties. Rather than relying on consumer complaints, regulators commenced using proactive ad monitoring systems in 2023. For example, The Advertising Standards Authority in the UK (ASA) is leveraging AI technology to enhance its regulatory capabilities. In 2023, the ASA amended or withdrew a staggering 27,000+ ads; 92% of which were identified using AI. In 2024 the ASA more than tripled its target by processing up to 10 million ads[1]. Similar measures are in the process of being implemented by the Financial Conduct Authority (FCA), the Securities and Exchange Commission (SEC) and the Consumer Financial Protection Bureau (CFPB) in the US, the European Securities and Markets Authority (ESMA) and the Australian Securities and Investments Commission (ASIC). Scrutiny is particularly focused on financial products such as crypto assets, loans, credit, terms, fees and potential risks.

2

SEC makes public examples out of Marketing Rule violators, putting pressure on compliance teams. Not content to simply leverage hefty fines totalling millions, the Securities and Exchange Commission (SEC) has increasingly added press releases to its enforcement strategy. Such was the case last September, when it called out nine financial services advisors by name while announcing that the Marketing Rule sweep would be ongoing.

3

Digital ad spend will rise by 17%, adding to compliance team review volume. EMARKETER reported 79.7% of total US ad spend in 2024 was digital[2] and forecasts 17.2% growth in Financial Services digital ad spending in 2025[3]. This is driven by the continuing normalization of online services, as well as a generational shift in those making larger financial decisions. These changes create more touchpoints that demand thorough compliance monitoring both before and after launch.

4

AI-assisted content creates additional compliance risk. While 2023/24 may have marked generative AI's breakout years, 2025 is expected to see broader mainstream adoption across all marketing content. Gartner estimates that by 2025, 30% of outbound marketing messages will be created by generative AI. This ability to scale brings obvious ROI, but it also increases compliance risks. AI can produce large volumes of content quickly, but without proper oversight, unintentional breaches may occur. This challenge is heightened by expanding regulatory mandates, geographic variations, increased content volumes, and tight deadlines, making thorough reviews more difficult to maintain.

5

Failure to include financial options in customer communications leads to devastating fines. The Consumer Financial Protection Bureau (CFPB) has banned Navient from servicing federal student loans and ordered the company to pay $120 million due to multiple failures[4]. Navient was found to have steered borrowers into costly repayment options and failed to inform them about more affordable income-driven repayment plans. The order includes $100 million in consumer redress and a $20 million penalty.

6

Cost pressures force financial firms to rethink compliance strategies. Cost cutting will still be a defining strategy for much of the business world with greater pressure to boost efficiency. Consequently the traditional response to increased compliance workload—hiring more staff—is being replaced by leaner processes and better use of external technology and systems. Centralized and collaborative creative workflows, integrated with industry-specific compliance checkpoints that leverage automation and AI, are becoming the norm in the financial services sector. This trend reduces the need for extensive human oversight while maintaining compliance standards, (often at a faster pace).

7

Lack of email unsubscribe options can result in crippling fines. The Commonwealth Bank of Australia (CBA) was fined $7.5 million[5] for breaching Australia's spam laws by sending over 170 million marketing emails between 2022 and 2024 without a proper unsubscribe option. The Australian Communications and Media Authority (ACMA) found that CBA incorrectly classified marketing emails as non-commercial, prompting further penalties and a court-enforceable undertaking for compliance improvements.

8

Companies pay the price for lack of fee disclosure. Green Dot was fined $44 million[6] by the US Federal Reserve for engaging in unfair and deceptive practices, particularly related to prepaid debit card products and tax refund services. One of the key issues included not fully disclosing fees to customers. Green Dot is now required to fix these issues, with the help of independent third-party oversight.

9

Compliance teams must pay close attention to pricing language or face the consequences. The CFPB ordered mortgage company NewDay USA to pay $2.25 million for misleading veterans and military families into cash-out refinance loans[7]. The company was found to have provided incomplete cost comparisons, making loans appear cheaper than they actually were. This deceptive practice is part of a broader concern regarding the targeting of veterans with confusing mortgage offers.

10

CMA ramps up accountability and transparency. UK bank regulator, the Competition and Markets Authority (CMA) took action against HSBC, Lloyds, TSB, and Allied Irish Bank mid 2024 for breaching competition rules by providing inaccurate product information including branch locations, interest rates and overdraft charges. While Lloyds, TSB, and AIB are addressing their issues, HSBC must implement additional measures. According to the CMA, they "...will continue to closely monitor all banks' compliance to ensure customers can clearly and confidently manage their finances."

11

Greenwashing scrutiny remains a priority for regulators. The Banking and Finance sector experienced a 20% reduction in greenwashing incidents from 2023 to 2024, following a 70% increase between 2022 and 2023[8]. This is attributed to stricter regulatory measures and a trend toward "greenhushing," where companies minimize sustainability claims to avoid stakeholder backlash.

While enforcement appears to be working, regulatory bodies will continue their clampdown. In less than six months during 2024, the Australian Securities and Investment Commission (ASIC) issued 17 infringement notices for misleading and deceptive sustainability-related claims, totalling more than $230,000[9]. The types of offending included:

- Net zero statements and targets, that were either made without a reasonable basis or that were factually incorrect
- The use of terms such as 'carbon neutral', 'clean' or 'green', that were not founded on reasonable grounds
- The overstatement or inconsistent application of sustainability-related investment screens, and
- The use of inaccurate labeling or vague terms in sustainability-related funds

12

The Rise of Buy Now Pay Later (BNPL) Options. Juniper Research forecast BNPL transaction values to rise 106% globally by 2028[10]. The CFPB has been actively reviewing this category and potential new consumer protection and transparency rules are on the horizon.

13

Failure to disclose sales incentive structures can result in major penalties. Nasdaq Futures, Inc. was fined $22 million[11] by the Commodity Futures Trading Commission (CFTC) for regulatory violations and providing misleading information. The company operated a trading incentive program where it secretly made volume-based payments to certain traders, failing to disclose this to the CFTC and the public as required.

Problems Facing Compliance Teams

IntelligenceBank conducted extensive research into the compliance issues facing organizations, how they are using AI to solve them, and the results they are seeing.

Survey participants had diverse responsibilities such as legal and marketing compliance, creative team leads, risk analysts, technology integration specialists and project managers.

The 10 Most Common Compliance Problems

Respondents sought to solve a range of problems, primarily revolving around inefficiencies in managing marketing compliance via manual processes, and the complexity of regulatory requirements.

1 Manual Processes

Many respondents relied on manual review processes through email and spreadsheets, which were time-consuming and prone to errors. For instance, one organization reviewed 22,000 pieces of material annually through a manual process tracked in Excel.

2 Cumbersome Systems

Solutions such as SharePoint and Lotus Notes were cumbersome and did not work effectively for managing compliance, leading to frustrations among users

30,660

Is the average number of comments compliance teams gave to Marketing teams at a medium-sized financial services company in a year

3 Repeated Mistakes

Reviewers frequently encountered the same mistakes in documents or on websites, wasting time on repeated checks instead of addressing more critical compliance issues.

4 Multiple Reviews

Back-and-forth between legal compliance, marketing, brand compliance creates significant delays.

5 Inconsistent Rule Application

Challenges in applying consistent compliance rules across content types contributed to failures. In addition, legal interpretations fluctuated depending on who was asked. Marketers needed one answer they could run with.

6 Delayed Approvals

Manual approval processes suffered from delays due to regulatory complexities, causing frustration among marketing teams.

7 Lack of Automation

The absence of any automated compliance checks made it challenging to maintain efficiency and accuracy in document reviews.

8 Ineffective Tracking

Tracking compliance through manual means often resulted in a lack of audit trails, making it difficult to ensure accountability and transparency.

9 Heavy Workload on Compliance Teams

Experienced compliance professionals were overburdened with routine checks, limiting their ability to focus on more strategic aspects of compliance. Take for example a large bank, which typically produces between 20,000 and 100,000 assets a quarter. To manually review that is quite a feat - not to mention tedious and expensive. To quote a large New York based fund manager,

> **“I can’t continue to manage my risk by growing my head count.”**

10 Integration Issues

Manual systems lacked necessary integrations, making it difficult to streamline workflows and enhance efficiency.

How Financial Services Achieve Marketing Compliance

In response to the rise in content volume and AI-assisted regulatory activity, a growing number of teams are automating compliance reviews to save time and reduce risk. Increasing reliance on technology to expedite content reviews also decreases the need to scale compliance programs with headcount.

10 Real Life Use Cases for Automated Compliance Reviews

While the notion of using AI to manage compliance is easy to grasp, how does that play out in the practical application? Here are several examples from respondents who have successfully integrated AI-driven compliance solutions into their workflows.

1 Ad Compliance Assistance

Automated compliance reviews help ensure that advertising content adhere to legal standards and regulations. By integrating AI-driven checks, organizations can catch misleading claims or omissions in their ads before they go live, reducing the risk of regulatory penalties and maintaining consumer trust.

2 Creative Content Review Automation:

Organizations utilize AI compliance scanning to automate the review of various content types, including Word docs, PDFs, audio files, video files, web pages and presentations. Much of the content in these documents comprises briefs and artwork.

> IntelligenceBank is central to operations at Angle Auto Finance. Users know it as ‘The Introducer Hub’ and it’s become the go-to for everything they do with our organization.
>
> – Rebecca Henderson | Head of Marketing Product & Dealer Performance
> Angle Auto

3 Compliance Rule Customization

Companies tailor compliance rules within the IntelligenceBank platform, allowing for specific industry regulations to be met, such as those mandated by FINRA or SEC for financial communications. They can also adjust for sensitivity to certain areas of focus.

4 Out-of-the-Box Compliance Rule Implementation

The IntelligenceBank platform offers ready-to-go packages to meet marketing compliance requirements for specific regulatory requirements such as FINRA, the ACCC and others.

5 Audit Trail Management

The platform provides an audit trail that enhances transparency and accountability in compliance approvals. There is no need to rely on third-party services or record keeping in spreadsheets and emails.

6 Suggestions for Improving High-Risk Content

The software's ability to use generative AI to identify high-risk phrases and suggest alternatives helps compliance teams prioritize their review efforts on the most critical content.

7 Streamlined Approval Processes

Integration with creative approval systems facilitates faster and more efficient processing of marketing materials, reducing bottlenecks in the compliance workflow.

8 Continuous Learning and Adaptation

Users reported AI compliance monitoring is improving over time, learning how to apply rules more effectively in different contexts, which enhances the overall compliance framework.

9 Support for Regulatory Changes

The platform's ability to adapt to changing regulations allows businesses to stay compliant without significant overhauls in their processes.

10 High Engagement Across Departments

Without a centralized platform, it can be difficult to get compliance teams on the same page. With the introduction of a centralized platform like IntelligenceBank, many users interact with the platform daily and see it as an indispensable tool deriving value from not just efficient compliance assurance, but also smoother relationships between departments.

Expected Results from AI-Assisted Content Reviews

IntelligenceBank user data reveals how much time can be saved when financial organizations of various sizes use workflow automation and AI-powered content reviews.

The table below details the quantity and type of comments or feedback given by compliance teams to marketing teams. Note that this is based on real customer data, not a hypothetical scenario. For example, a marketing team at a medium-sized bank typically pushes thousands of pieces of content to compliance teams each year, eliciting more than 12,000 comments or revision notes.

Quantifying Compliance Feedback to Marketing Teams

		Small Org 29 assets per week 290 comments per week ~15,000 comments per year	Medium Org 59 assets per week 590 comments per week ~30,600 comments per year	Large Org 118 assets per week 1,118 comments per week ~58,100 comments per year
Compliance Feedback	**Automation Potential**	**Annual Hours Saved**	**Annual Hours Saved**	**Annual Hours Saved**
Legal & Compliance Comprise 38% of all review comments	**Rule-Based Disclaimer Detection:** Automate checks for presence and accuracy of required disclaimers. **Regulatory Requirements Checks:** Automate detection of required legal disclosures and product-specific information.	1,425	2,850	5,510
Language & Wording Comprise 22% of all review comments	**Word Choice & Tone Guidance:** Automate detection of inconsistent terminology and high-risk language. **Grammar and Spell Check:** Automate grammar & spelling checks. **Misleading Language Detection:** Automate checks for potentially misleading, promissory or exaggerated language, including trigger words, independence claims and absolutes.	825	1,650	3,190
Brand Compliance Comprise 17% of all review comments	**Brand Asset Detection:** Automate checks for correct brand name usage and capitalization. **Tone of Voice:** Automate checks for consistency with brand voice guidelines.	637	1,275	2,465
Misc Other	These comments represent areas where human judgment, creative thinking, or specialized knowledge are essential, making them less amenable to automated rule-based solutions. While some aspects might be aided by automation in the future (e.g. flagging potential design inconsistencies), they primarily require human input.	NA	NA	NA
		2,887	5,775	11,165

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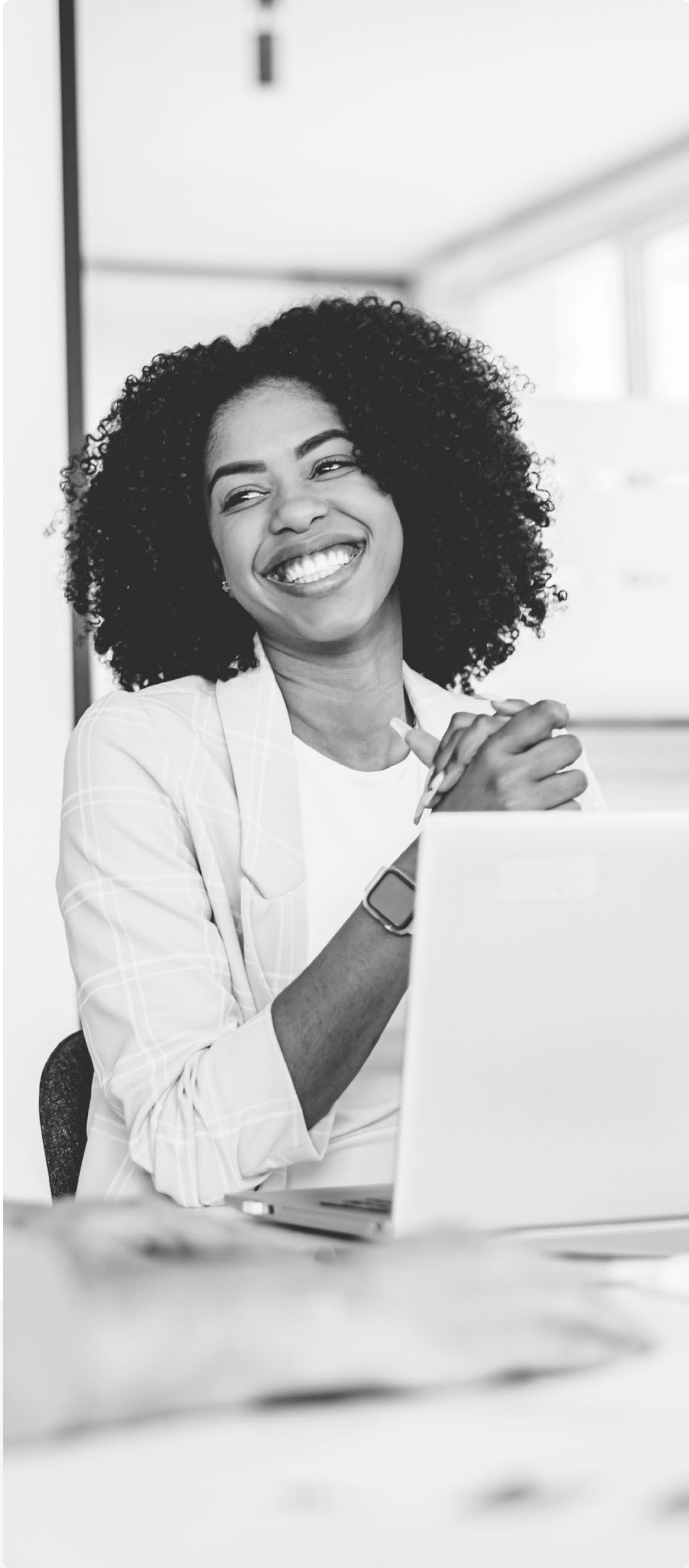
About IntelligenceBank

An intelligent content operations platform that helps marketing and compliance teams accelerate the creation, management and distribution of approved content.

Unlike other solutions, IntelligenceBank is a complete end-to-end platform, delivering a single place for quick collaboration among marketing, brand, communications and compliance teams.

The platform leverages AI and automation to ensure legal and brand compliance during content production and after content has gone live.

Learn more at IntelligenceBank.com



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