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Accessibility as a Compliance Requirement: Designing Inclusive Financial Interfaces Under FINRA and PII Constraints

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Abstract
Digital platforms are a growing part of financial institutions' toolkits for providing brokerage services, investment advice and customer support. While these platforms have been making financial services more accessible, the platforms may present challenges for users who rely on assistive technologies. These challenges go beyond usability, especially if there are regulated communications, financial details, or records that companies are required to keep for supervisory reasons. The study explores how accessibility can be tackled within regulatory and operational duties of brokerage and investment firms. A doctrinal review of pertinent regulations is interwoven with a synthesis of widely used interface design practices. The analysis is based on the WCAG 2.2, Section 508, and EN 301 549, along with FINRA Rules 2210, 3110 and 4511, SEC Rule 17a-4, Regulation S-P, the Gramm-Leach-Bliley Act, and Regulation S-ID. Specific consideration is given to where there may be a trade-off with regard to doing other compliance work when the accessibility is improved. These encompass keeping a record of any customer contact without causing unfair treatment, providing information about customers via assistive technology without revealing confidential information, and making sure that enough is recorded but no more. The findings from this study inform the creation of eight design controls that are suitable for implementation in practice for the areas of authentication, customer communication, privacy protection measures, and compliance documentation. Each control is associated with relevant evidence which firms would be able to retain for internal control assessments or regulatory examinations. The proposed approach provides a way in which accessibility is not seen as a separate technical requirement but is part of existing governance and compliance procedures.
Keywords: *Accessibility; FINRA; WCAG 2.2; Data privacy; Inclusive design*

1. Introduction
The virtual retail participation in the securities markets is through software. An "interface" is the account opening, suitability questionnaires, risk disclosures, order entry, margin warnings, confirmations and statements sent to the customer and it is not a conversation with the registered representative. That means that if the customer is unable to use the interface, then they are basically out of the game. According to the World Health Organization, about 1.3 billion people (or sixteen per cent of the world's population) have a disability of some sort [1]. One million of the most visited home pages are still being automatically tested for detectable WCAG failures and some of the most common issues found are form-input labelling and low-contrast text [2]. Financial interfaces are no different, and the most common weaknesses are the ones that a securities regulator would be concerned with – labelling of inputs on onboarding forms, contrast of risk warnings, and programmatic structure in fee tables. In the practitioner world, and literature, accessibility in financial technology is either an ethical or market access/litigation avoidance issue. All these framings are possible, but each of them takes accessibility outside the compliance zone, where design decisions are made in a regulated broker-dealer. This paper does not go in this direction. A risk disclosure that is not discernable to a screen-reader user is not just "inaccessible," it is arguably not a disclosure that is "delivered" at all under FINRA Rule 2210 [3] which requires that a communication be "fair and balanced. A review process which fails to consider the ability to perceive retail communications is not

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a fully designed process to achieve compliance as required by Rule 3110 [4]. Accessibility is not a goal, but a condition of compliance on this reading. The same interface that is required to be perceivable and operable must also be supervised, archived in a non-rewriteable format and not disclose non-public personal information to anyone other than the customer. These commitments are not necessarily in the same direction. A session that is accessible is a confidentiality risk and one that doesn't expire is even worse. A screen reader which reads out an account balance is an accessibility success and a disclosure in a shared physical area. More PII can be stored in an audit trail that is detailed enough to recreate what a customer saw than in a data-minimisation policy. This paper proposes a model that localises and controls these conflicts and which resolves them without compromising conformance. Related work and the research gap: The empirical literature on web accessibility is large but exists outside of financial regulation. One strand is developing and comparing evaluation methods and tools, such as automated, AI-assisted and population-sourced ones [5-13] and the other strand is applying these tools and methods to sectoral corpora, like university, educational and e-government sites [14-16]. A third strand is specific to financial interfaces, with studies on cognitive accessibility of digital payments, assistive technology in banking, ATM and UPI design for disabled and elderly users [17–21] and a fourth strand that focuses on inclusive or adaptive design and browser-side remediation [22, 23] and usability of security and privacy mechanisms [24]. A fifth strand examines policy and sees WCAG 2.2 and the 2024 Department of Justice rule as regulatory events [25, 26] or as a look at fintech regulation and vulnerable consumers from a consumer-protection perspective [27–29]. None of these strands does read the accessibility criteria against the operative text of the broker-dealer supervision, recordkeeping and customer-information rules; so conformance failures are expressed as rule exposure and conformance evidence is expressed as examinable artefacts.

1.1.Contributions

- A tri-constraint convergence model that identifies and organises conflicts among accessibility requirements, financial supervision and recordkeeping obligations, and PII protection (Section 4).
- A catalogue of eight proposed design controls: accessible authentication; extendable sessions with warnings and re-authentication; user-controlled disclosure of masked account information; accessible risk disclosures and fee information; data-minimising forms; preservation of accessible communications and interaction records; versioned accessibility testing and supervisory documentation; and vendor accessibility and data-handling reviews (Sections 5–6). These controls are proposed for design testing rather than presented as empirically validated solutions.

2. Three Regulatory Foundations

2.1.Accessibility as enforceable obligation

The reference technical standard is WCAG 2.2 (October 2023) which is based on the principles that content should be perceivable, operable, understandable, and robust [30]. The previous WCAG 2.1 was cited by most of the existing legal documents [31] and the semantics required to expose the state of the dynamic interface are provided by the WAI-ARIA specification [32]. ISO 9241-171 provides ergonomic software accessibility recommendations [33], and EN 301 549 operationalizes WCAG for EU public procurement [34]. Section 508 of the Rehabilitation Act establishes accessibility standards for the U.S. federal agencies. These requirements were last updated in 2017 by the Access Board [35]. Accessibility is also covered by the Americans with Disabilities Act. Public entities are covered under Title II and covered businesses and public accommodations are covered under Title III [36]. Section 504 of the Rehabilitation Act protects people with disabilities from discrimination in federally funded programs [37]. The Department of Justice's 2024 Title II web rule adopts WCAG 2.1 Level AA as the operative conformance target for state and local government entities, and this is

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important because it is a sign of the regulatory settlement of WCAG even if it isn't the standard for private companies [38]. The majority of the private sector liability has been through litigation, notably Robles v. Domino's Pizza, LLC, 913 F.3d 898 (9th Cir.). In 2019, the Ninth Circuit ruled in favor of the Americans with Disabilities Act in a case that found that the ADA applies to a defendant's website and mobile application through which goods and services are ordered [39].

2.2.FINRA supervisory and recordkeeping layer

The content standards, principal approval and, for some retail communications, filing requirements are contained in FINRA Rule 2210 [3] which regulates communications with the public. Each member firm is required to have and maintain a supervisory system reasonably designed to achieve compliance with Rule 3110, which includes written supervisory procedures [4]. The general books-and-records obligation and preservation periods are in Rule 4511 [40]. Regulation Best Interest imposes a disclosure obligation in addition to the recommendation that is made to retail customers [41]. SEC Rule 17a-4 governs how electronic records are kept, and in 2022, the Rule was amended to provide for the use of a write-once media alternative [42]. All these instruments help to make the interface a regulated artefact, meaning that the interface's meaning can be verified, and its contents can be reproduced.

2.3.Safeguards for PII and confidentiality

Regulation S-P adopts the privacy and safeguarding requirements of Title V of the Gramm-Leach-Bliley Act, which mandates written policies reasonably designed to safeguard customer records and information [43, 44]. Regulation S-ID mandates a programme to prevent identity theft with identified red flags [45]. NIST SP 800-122 offers the working taxonomy of PII confidentiality impact levels [46] and SP 800-63B offers authentication assurance requirements that have a direct impact on login interfaces [47]. These controls can be grouped into the NIST Privacy Framework that offers a risk-management structure [48]. The GDPR also introduces a transparency requirement that information must be provided in "clear and plain language" and that has clearly an accessibility dimension [49] as well as the European Accessibility Act, which extends the accessibility requirements to consumer banking services [50].

3. Analytical Approach

This study conducts a doctrinal review and design analysis rather than empirical studies. The review includes coverage of the accessibility standards, laws applicable and FINRA and SEC rules relating to communication, supervision, and recordkeeping. Broker-dealers' customer privacy and authentication needs were also explored. For each WCAG 2.2 Level A and AA success criterion, it was compared with the relevant financial regulations. The criteria were either reinforcing or neutral or contested. The criteria that were contested were then classified based on the type of conflict found. They are the three areas of concern presented in Section 4. The results must be taken with some caution; there are two drawbacks to this method. Firstly, the coding is the author's interpretation of the rule wording and is not a substitute for legal advice or a regulator's interpretation for any specific examination. Second, we did not carry out practical conformance testing of live brokerage interfaces, nor is the model's incidence an empirical matter. The controls proposed in Section 5 are thus offered as hypotheses for design testing rather than as proven solutions.

4. The Tri-Constraint Convergence Model

The three constraint systems are shown as sets in figure 1. The overlapping areas of the two are the zones of accessibility and of financial-regulatory consequence of design decisions, and the middle area is the design control zone, where all three systems come together. Specific success criteria are put into the model in Table 1. As shown in Figure 1 Tri-constraint convergence model for inclusive financial interface design. Zone I relates to disclosure that is perceived and how it interacts with the fair and balanced standard. Rule 2210 says that risks must be made prominent in proportion to benefits. The high contrast display type for the performance numbers and the low contrast small text for the risk classifications may not meet

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WCAG 1.4.3 and by doing so, disrupt the balance that the rule calls for. The two failures are not accidental – one of the ways of achieving prominence is by contrast. Similarly, a fee schedule that is marked up as a layout table, but not associated with a programmatic header fails 1.3.1 and the rule calls for a comprehensible fee schedule to be presented to the screen-reader user.

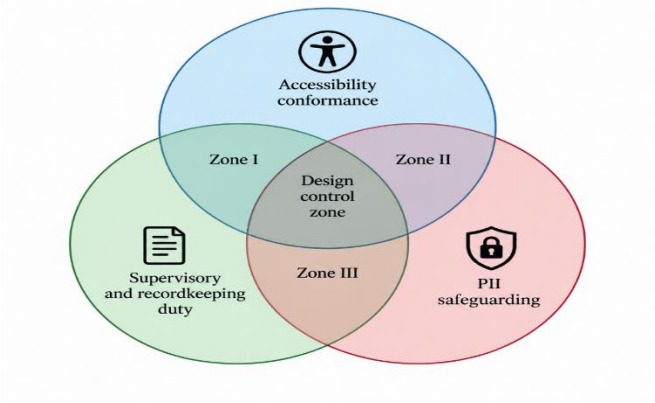


Figure 1 Tri-constraint convergence model for inclusive financial interface design

Zone II is about read-back and privacy of customer information in AT. WCAG 4.1.2 and the ARIA live-region pattern are in place to ensure that dynamically changed values are spoken, like a portfolio balance or an order status. However, announcement is the audible output and Regulation S-P's safeguarding obligation is modality agnostic, that is, it is not about how the non-public information leaks. The issue of authentication is a highly charged issue. The new success criterion 3.3.8 at AA level in WCAG 2.2 says that "An authentication step must not require a cognitive function test (e.g., transcribing a distorted string of characters or remembering a solution to a puzzle) unless there is an alternative or a means of providing help. Indeed, many companies' step-up authentication mechanisms rely on such tests and if that test were removed, the level of assurance that the authenticator provides would be less than what is specified in SP 800-63B. Zone III is about the completeness of audit trails and data minimisation. Time limits shall be adjustable as per success criterion 2.2.1 and the users shall be warned of the length of inactivity which will lead to loss of data as per success criterion 2.2.6. A trade ticket that discards data entered on a fixed short timeout will affect any user who requires more time such as users of screen magnification or switch access. The longer the session, the more PII that is retained; partially completed PII is retained for the duration of the session and the reconstruction of what the customer saw for Rule 17a-4 purposes increases the amount and length of PII retention.

Table 1 Accessibility Issues in Brokerage Websites

WCAG 2.2	Issue	Regulation
1.3.1 (A)	Fee tables are unclear	FINRA 2210; Reg BI
1.4.3 (AA)	Risk warnings are hard to read	FINRA 2210
3.1.5 (AAA)	Complex wording	Reg BI; GDPR Art. 12
2.2.1 (A)	Sessions end too soon	Reg S-P; NIST 800-63B
3.3.8 (AA)	CAPTCHA blocks access	NIST 800-63B; Reg S-ID
4.1.2 (A)	Screen readers may expose private details	Reg S-P; GLBA
3.3.2 (A)	Forms collect personal details	Reg S-P; Reg S-ID
2.2.6 (AAA)	Users may lose unsaved work	SEC 17a-4; FINRA 4511
1.4.10 (AA)	Trade details are hard to view on small screens	SEC 17a-4; FINRA 4511

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5. A Catalogue of Design Controls

The tension areas are controllable. In every instance there is a control in place which meets the accessibility requirement, is financially responsible and creates an artefact that can be added to the compliance record. Eight such controls are listed in Figure 2, and the three most frequently misapplied controls are discussed below. The first one is the simple method to log in. The control is not an audio alternative to a distorted character challenge because this would leave a cognitive-function challenge for many users, and would provide an audio channel that could also give information. Platform authenticators employing public-key credentials or a hardware security key meet 3.3.8 since the user does not have to memorize, transcribe, or solve anything and has more certainty than knowledge-based challenges. The compliance artifact is a brief statement that lists each authentication path and its assurance and accessibility levels. The second one is the extendable session with warning. The control includes a focus trapped warning dialogue, which is announced to assistive technology, an extension mechanism that doesn't require any re-entry of an identifier, and a re-authentication step instead of a silent extension. This meets 2.2.1 and 2.2.6 and limits the exposure of the confidentiality of an idle session to an affirmative action by the current user, rather than an increase of the default. The artefact is the session-management part of the firm's Regulation S-P risk assessment, which should include the accessibility rationale for the selected durations. Masking of account identifiers and balances is not only visual, but also in the document object model, and is made available when the user has explicitly asked for it, with a polite live-region announcement. The distinction is that visual masking that preserves full values in the accessibility tree allows them to be accessible to any process that reads the tree, while values that aren't in the accessibility tree at all are not accessible to legitimate assistive technology. Thus, the control considers the accessibility tree to be a data surface in scope for the Regulation S-P safeguarding language. The artefact is a test log to show masked default state for a visual and programmatic rendering. As shown in Figure 2 Proposed Accessibility Measures for Financial Service Platforms.

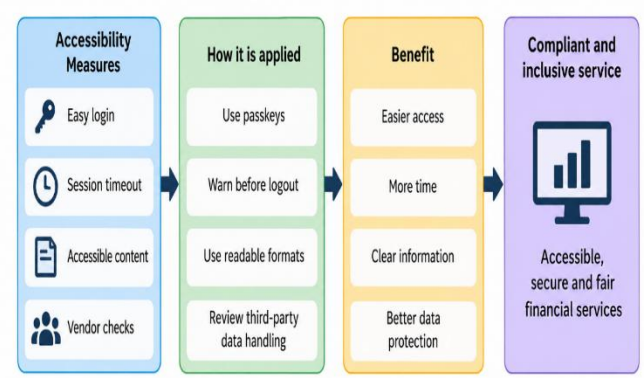


Figure 2 Proposed Accessibility Measures for Financial Service Platforms

6. Governance and the Evidencing of Conformance

A control that is not documented, but is implemented is, for examination purposes, close to a control that does not exist. The convergence model prescribes that the artefacts created during the accessibility work have to be in the same register as the artefacts of other compliance work. This is done at a minimal cost with three moves. First, there should be a criterion of accessibility conformance in retail communications written supervisory procedures maintained under Rule 3110 [4] with a defined target for conformance, a named role for the reviewer and a defined escalation path for defects identified during the review. Secondly, conformance reporting shouldn't be a one-time audit, it should be periodic and versioned, interfaces evolve constantly and reporting conformance should be to a build, not a firm. Third, the accessibility conformance report should be kept on the same schedule as the communication it describes, pursuant to Rule 4511 [40] so that the record of what a customer could perceive is kept on the same schedule as the record of what was said. Another means of changing the inside argument. Accessibility as a “discretionary” enhancement is in direct conflict with revenue features and will usually be defeated. If it is stated as a part of a supervisory system, with a rule

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citation, and a retention obligation, it is scheduled. The NIST Privacy Framework's four-part core framework of identify, govern, control and communicate and protect offers a good framework for incorporating accessibility risk into an existing enterprise risk register instead of keeping a separate one [48].

7. Limitations and Directions for Future Work

It would be much improved with four extensions. An empirical conformance audit of a sample of retail brokerage onboarding and order entry flows would establish a metric for the frequency of the non-conforming occurrence of the disputed criteria in production. A task, performed by a screen-reader, magnification and switch-access user in a funded account, would be used to establish whether the proposed controls would allow for equivalent task completion, or just for technical conformance. The model can be extended to the banking parts of the European Accessibility Act [50] and to jurisdictions that have different disclosure regimes, testing the model for portability. Finally, the interaction between accessibility and the new supervisory requirements for algorithmic and conversational interfaces in financial advice are unexplored and are likely to be important.

Conclusion

A financial institution is unable to ensure that risk disclosures are available and comprehensible to the customers unless it can verify that this is the case. This concern includes three aspects: accessibility, regulatory recordkeeping and personal information protection. These requirements might seem to clash, but can be addressed simultaneously with proper design considerations. For instance, user-friendly logon options can enhance security without complicating logon. Security risks can be mitigated with re-authentication and inactivity controls and longer sessions can provide more time for those requiring additional time. Likewise, information that may be sensitive for an account can be concealed from screen readers until the user asks for it to be read aloud. This safeguards personal data without blocking access to critical functions. Its goal is to not sacrifice one requirement to satisfy another. Rather, the requirements should be satisfied by means of suitable controls. Existing financial firm supervisory procedures, risk assessments, record retention policies, and vendor reviews can be utilized for this. These can incorporate accessibility testing and documentation. This enables companies to take a look at accessibility in conjunction with their present compliance and privacy duties.

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