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PRESS RELEASE

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Schemes poised to act as Virgin Media remedy becomes law, Sackers survey reveals

Schemes are already gearing up to make use of the new Virgin Media* remedy following its inclusion in the Pension Schemes Act 2026, according to a new webinar survey from Sacker & Partners LLP (Sackers), the UK's leading specialist pensions law firm.

Polling conducted during the webinar found that **33%** of schemes now consider themselves “**highly likely**” to make use of the remedy, while a further **37%** said they believe it is possible and are **investigating further**. Of those expecting to proceed, **5% plan to begin immediately and 37% anticipate doing so within the first year**.

James Bingham, partner, at Sackers said: “The introduction of the Virgin Media remedy is a very welcome and pragmatic step forward for the industry. Over recent years it has been a central topic of discussion, with some schemes and advisers investing significant time and resource into understanding their positions. The arrival of a legislative fix is a welcome development which trustees will hope draws a line under this as an issue.

“We are pleased that the legislation provides a practical and relatively straightforward route forward. The gateway principles are clear and workable, giving schemes greater certainty around the process and next steps.”

Bingham continued: “The focus now turns to implementation. Schemes will need to consider the availability and quality of historic member data, which is not always immediately accessible and can take time to retrieve. There may also be actuarial and evidential challenges, and some actuaries may want to take advice on the steps they are being asked to take.

“While the remedy provides a clear route forward for those that can use it, it’s important to be realistic about the work involved and the time it may take to complete.”

Bingham concluded: “Schemes will need to ensure they follow the required actuarial procedure and maintain clear documentation. Done properly, this should help bring long-awaited clarity on affected amendments and enable continued administration of benefits in line with current practice.”

-ENDS-

*Based on 78 respondents representing trustees and employers of DB schemes.

*The Virgin Media case centred on amendments made by contracted-out defined benefit (DB) pension schemes between 6 April 1997 and 6 April 2016. The courts found that where schemes had not obtained the required Section 37 actuarial confirmation when making certain rule changes, those amendments could be invalid. This created significant uncertainty across the pensions industry, prompting many schemes to review historic documentation, benefit changes and governance processes amid concerns over potential liabilities and operational impacts.

The new legislation introduces a statutory process intended to allow certain historic amendments to be retrospectively validated, subject to specified conditions, gateway checks and scheme-specific applications, providing schemes with a clearer route to resolving affected amendments.

Notes to Editors:

Sacker & Partners LLP (Sackers) is a top-tier commercial law firm celebrating its 60th anniversary in 2026.

The firm specialises in advising pension scheme trustees, employers, and providers on all aspects of their pension arrangements.

Widely regarded as leaders in the field, Sackers advises more of the UK's top 200 pension funds than any other law firm and is consistently ranked in the top tier for pensions by leading UK legal directories (Chambers UK and Legal 500), a position held for over twenty years.

Based in London, over 75 lawyers support trustee boards, sponsoring employers, providers and Government bodies across areas including day-to-day scheme management, funding and investment, projects, risk and litigation.

Sackers is an active member of Pensions UK, the Association of Pension Lawyers and the Society of Pension Professionals and is the technical legal expert partner to the Pensions Management Institute.

Sackers was recently named Pensions Law Firm of the Year 2026 at the Pensions Age Awards. In 2025, Sackers was named Best Pensions Law Firm at the Corporate Adviser Awards, won Pensions Lawyers of the Year at the UK Professional Pensions Awards, and received the Organisational Award for Supporting Diversity at the Professional Pensions Women in Pensions Awards.

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