CHOOSING CARE

# How to change home care agency without a gap in care

Changing home care agency: notice periods, getting your care plan and records, council-funded care and direct payments, and where to raise a concern.

By the JNP Sidona team · Reviewed by Jackie, Registered Manager, JNP Sidona Support Services · 26 November 2026 · 9 min read

You can usually change home care agency whenever you want to. Read the notice period in your contract, arrange the new agency's assessment and start date before you give notice, ask the old agency for a copy of the care plan and records, and tell the council if it funds the care or pays it as a direct payment. If you are changing because you are worried about someone's safety, report it now: do not wait for the switch.

## KEY POINTS

- Book the new agency first, then give notice, so the last visit from one and the first from the other fall on the right days.
- The notice period is whatever your contract says. An unfair term in a consumer contract is not binding on you, under the Consumer Rights Act 2015.
- If the council arranges your care, ask your social worker for a review, or ask for a direct payment so you can choose the agency yourself.
- You have a right to a copy of your personal information, including the care plan and care notes. Organisations usually have one month to reply.
- Complain to the agency first. If that does not resolve it, the Local Government and Social Care Ombudsman can look at complaints about care arranged privately as well as by councils.
- Abuse or neglect is a safeguarding matter: contact the council's adult safeguarding team, or call 999 if someone is in danger.

## Can I change home care agency?

Yes. If you pay for your care yourself, the contract is between you and the agency, and you can end it under its terms. If the council funds the care, you can ask the council to change provider, or take the council's money as a direct payment and choose the agency yourself. Either way, the person receiving care should be at the centre of the decision, and if they lack the mental capacity to decide, the decision must be made in their best interests.

People change agency for ordinary reasons: visits arriving at the wrong time, too many different carers, poor communication, a move to a new area, or needs that have grown beyond what the agency can staff. They also change for serious ones. The steps below cover both, and there is a separate section on what to do if something is wrong.

## Before you give notice: read the contract

Find the agency's terms and conditions and look for:

- **The notice period**, and whether it must be given in writing
- **How you pay**: in advance or in arrears, and whether any money paid in advance is refunded when the contract ends
- **Charges after notice**, such as for cancelled visits, or after the person goes into hospital or dies

- **Records and equipment**: who keeps the care file, the medication records and anything the agency supplied

There is no national rule on notice periods for home care. The Competition and Markets Authority has published consumer law advice for care homes (https://assets.publishing.service.gov.uk/media/61b09fbde90e070448c520f0/CMA_care_homes_consumer_law_advice_----.pdf), which says less than 28 days' notice is unlikely to be fair when a home asks a resident to leave, and that after a death, three days is generally long enough for fees to continue. That advice is for care homes, not home care, but it shows how the regulator thinks about fairness. Under section 62 of the Consumer Rights Act 2015 (https://www.legislation.gov.uk/ukpga/2015/15/section/62), "an unfair term of a consumer contract is not binding on the consumer". If a term looks unfair, Citizens Advice (https://www.citizensadvice.org.uk/consumer/get-more-help/if-you-need-more-help-about-a-consumer-issue/) can help.

## How to change home care agency, step by step

1. **Write down what needs to change.** Visit times, continuity of carers, particular tasks, or a change in needs. It tells the new agency what to fix, and the council what to review if it funds the care.
2. **Find the new agency.** Check it is registered on the CQC website (https://www.cqc.org.uk/care-services) and can staff visits at your address at the times you need. Our guide on how to choose a home care agency (/blog/how-to-choose-a-home-care-agency) lists the questions to ask.
3. **Have the new agency's assessment** at home, before you give notice. Show them the current care plan and medication list if you have them.
4. **Agree a start date and get a written quote**, so you know the new arrangement is real before you end the old one.
5. **Give notice in writing** to the old agency, with the date of the last visit. Keep a copy.
6. **Ask for your records.** Request a copy of the care plan, risk assessments, recent daily notes and medication records before the last visit.
7. **Hand over in the home.** Change the key safe code after the last visit, check which equipment belongs to the old agency and which to the council or NHS, and make sure the medicines in the house match the latest list.
8. **Check the final invoice** against the visits actually delivered.

## Getting a copy of the care plan and records

The care plan and the carers' notes are personal information about the person receiving care, so they have a right to a copy. The Information Commissioner's Office (https://ico.org.uk/for-the-public/getting-copies-of-your-information-subject-access-request/) calls this the right of access, and says organisations usually have one month to respond to a request. Someone acting for the person, such as an attorney under a lasting power of attorney, can ask on their behalf. Ask in writing, and say which records you need: the care plan, risk assessments, recent daily notes and medication administration records are the most useful to a new agency.

The new agency will still do its own assessment and write its own care plan. The old records help it get the details right from the first visit: how the person likes things done, what has worked, and what has gone wrong.

## If the council arranges your care

When the council arranges care, it chooses the agency, usually from the providers it contracts with. To change:

- **Ask for a review.** Contact the social worker or the adult social care team, explain what is not working, and ask for the care plan to be reviewed. The council may change the provider, or the times and tasks.
- **Ask for a direct payment.** A direct payment lets you choose the agency yourself, as long as the council agrees it meets the care plan. The council must consider a request at any time. Our guide to direct payments for home care (/blog/direct-payments-for-home-care) explains how.

## If you already use a direct payment

You chose the agency, so you can change it. Tell the council's direct payments team you are switching, and check that the budget covers the new agency's price for the same care. Agree the last and first visits so there is no overlap paid twice and no gap. Keep the old agency's final invoice and the new agency's first one with your direct payment records. If you would like to use us, see using your direct payment with JNP Sidona (/direct-payments-home-care-london).

## If you are changing because something is wrong

### Complain to the agency first

Every CQC-registered provider must have a complaints system. Regulation 16 (https://www.legislation.gov.uk/uksi/2014/2936/regulation/16) of the 2014 Regulated Activities Regulations says any complaint received must be investigated, and necessary and proportionate action taken. Put

the complaint in writing, with dates and examples, and keep a copy. A complaint does not stop you changing agency at the same time.

### Then the council or the Ombudsman

If the council arranges or funds the care, you can also complain to the council. If the care is arranged privately, the Local Government and Social Care Ombudsman (https://www.lgo.org.uk/make-a-complaint/fact-sheets/social-care/social-care-for-adults/complaints-about-privately-arranged-adult-social-care) says it "can investigate complaints about adult social care arranged privately with a care provider", but that the provider must have had a chance to respond first.

### Tell the CQC

The CQC regulates home care agencies. It says it is not able to take forward complaints (https://www.cqc.org.uk/contact-us/how-complain/complain-about-adult-social-care-service) on your behalf, but that what you tell it "helps protect others" and helps it decide when, where and what to inspect.

### Safeguarding concerns

If you think someone is being abused or neglected, for example left without food, medication or personal care, handled roughly, or having money taken, report it to the council's adult safeguarding team now. Age UK's factsheet on finding help at home (https://www.ageuk.org.uk/siteassets/documents/factsheets/fs6_finding_help_at_home_fcs.pdf) notes that the council's safeguarding duty applies however the care is arranged and funded. In Lewisham, for example, the council's safeguarding page (https://lewisham.gov.uk/myservices/socialcare/adult/safeguarding) says to call 999 in an emergency and otherwise use its Adult Safeguarding Concern Form or call 020 8314 7777. Other councils have their own pages; search for your council's name and "adult safeguarding". NHS England's guidance on raising a safeguarding concern (https://www.england.nhs.uk/safeguarding/how-to-raise-a-safeguarding-concern/) says to tell someone you trust and ask them to help you report it.

> If someone is in immediate danger, call 999. Do not wait for a complaint to be answered or for the new agency to start.

## What the new agency needs from you

- the current care plan and any risk assessments
- the list of medicines, the pharmacy and the GP surgery

- contact details for the district nurse, social worker or therapist, if involved
- any equipment in the home, and who supplied it
- how the person gets in and out: key safe, door entry, parking
- routines and preferences: what time they like to get up, how they take their tea, what upsets them
- any advance care plan or end-of-life wishes already written down

## Questions families ask

### How much notice do I have to give a home care agency?

### Can I change agency if the council pays for my care?

### Will the old agency send my records to the new one?

### How do I avoid a gap in care when changing agency?

## How we can help

JNP Sidona is a CQC-registered home care agency on Lewisham High Street. If you are thinking of changing agency, Jackie, our registered manager, will do a free home assessment, read your current care plan with you, and agree a start date that fits your notice, so there is no gap. If you move to us, our own client contract has 14 days' cancellation notice. We provide visiting care (/home-care-lewisham) in Lewisham, nearby south-east London and parts of central and east London, and live-in care (/live-in-care-london) across London, and we accept direct payments. See our home care services (/what-we-offer), or book a free assessment (#callback).

## Sources


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9. Age UK: Factsheet 6, Finding help at home (September 2026) (https://www.ageuk.org.uk/siteassets/documents/factsheets/fs6_finding_help_at_home_fcs.pdf), checked 26 November 2026
10. Lewisham Council: Adult safeguarding (https://lewisham.gov.uk/myservices/socialcare/adult/safeguarding), checked 26 November 2026
11. NHS England: How to raise a safeguarding concern (https://www.england.nhs.uk/safeguarding/how-to-raise-a-safeguarding-concern/), checked 26 November 2026
12. GOV.UK (DHSC): Care and support statutory guidance, chapter 12 (https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance), checked 26 November 2026

Talk to Jackie about care at home: ask for a call back (#callback) or call 07446 010486 (tel:+447446010486).

## About this guide

Written by the JNP Sidona team using the official sources listed above, which we checked on 26 November 2026. Rules, rates and thresholds change, usually each April, so always confirm the current position with the source or your council. This guide is

general information, not medical, legal or financial advice. If you spot something out of date, email info@jnpsidonasupportservices.co.uk (mailto:info@jnpsidonasupportservices.co.uk) and we will correct it.